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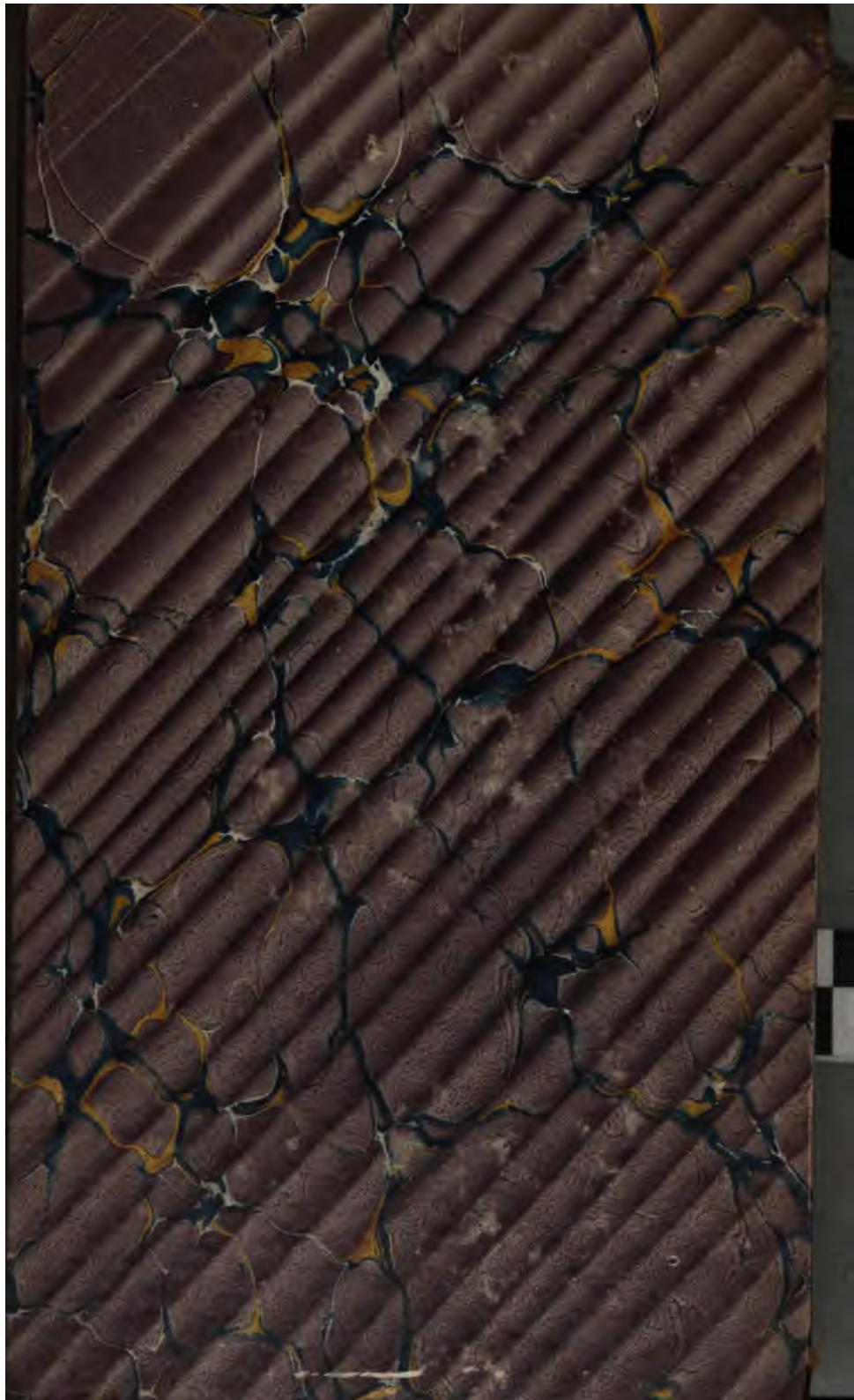
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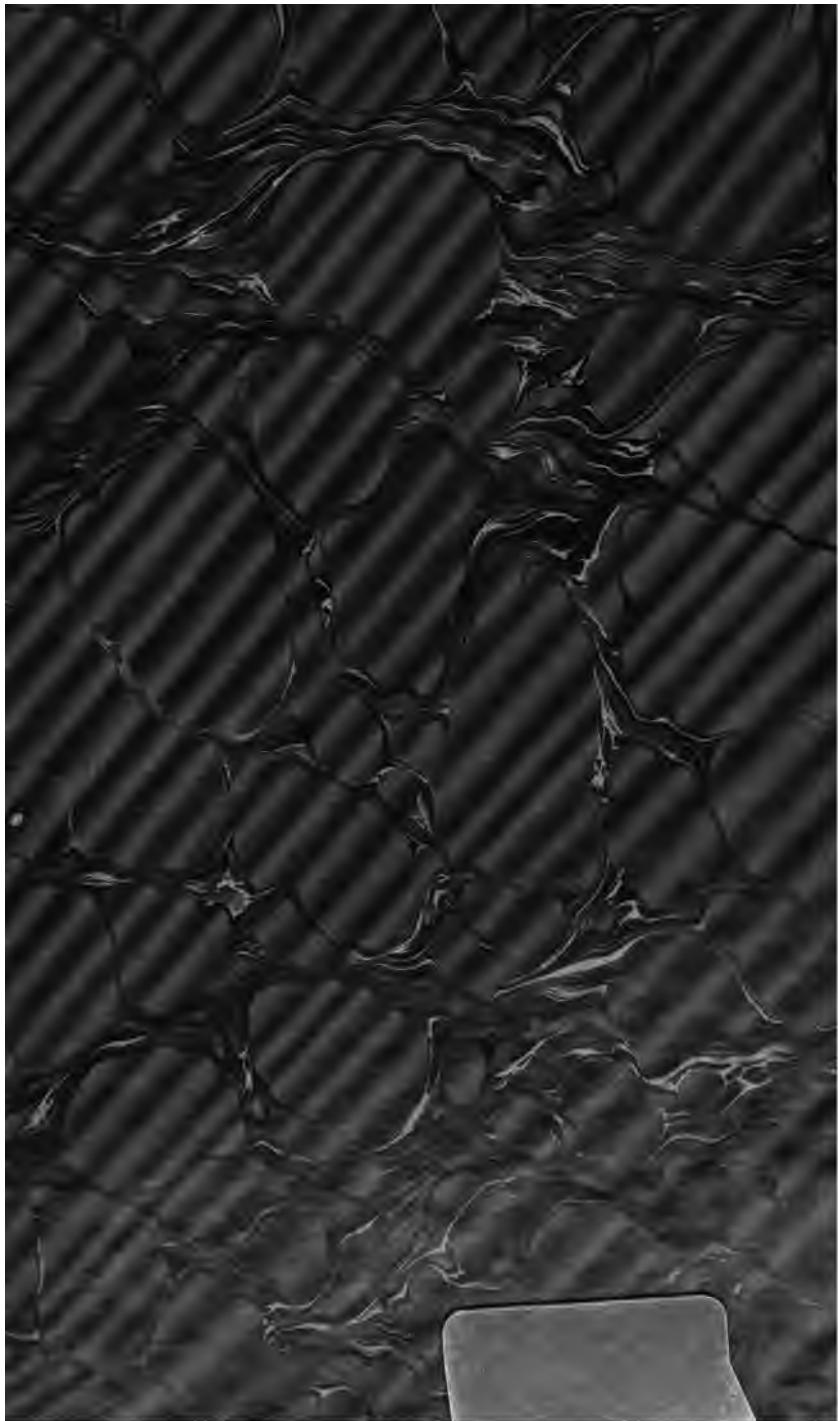
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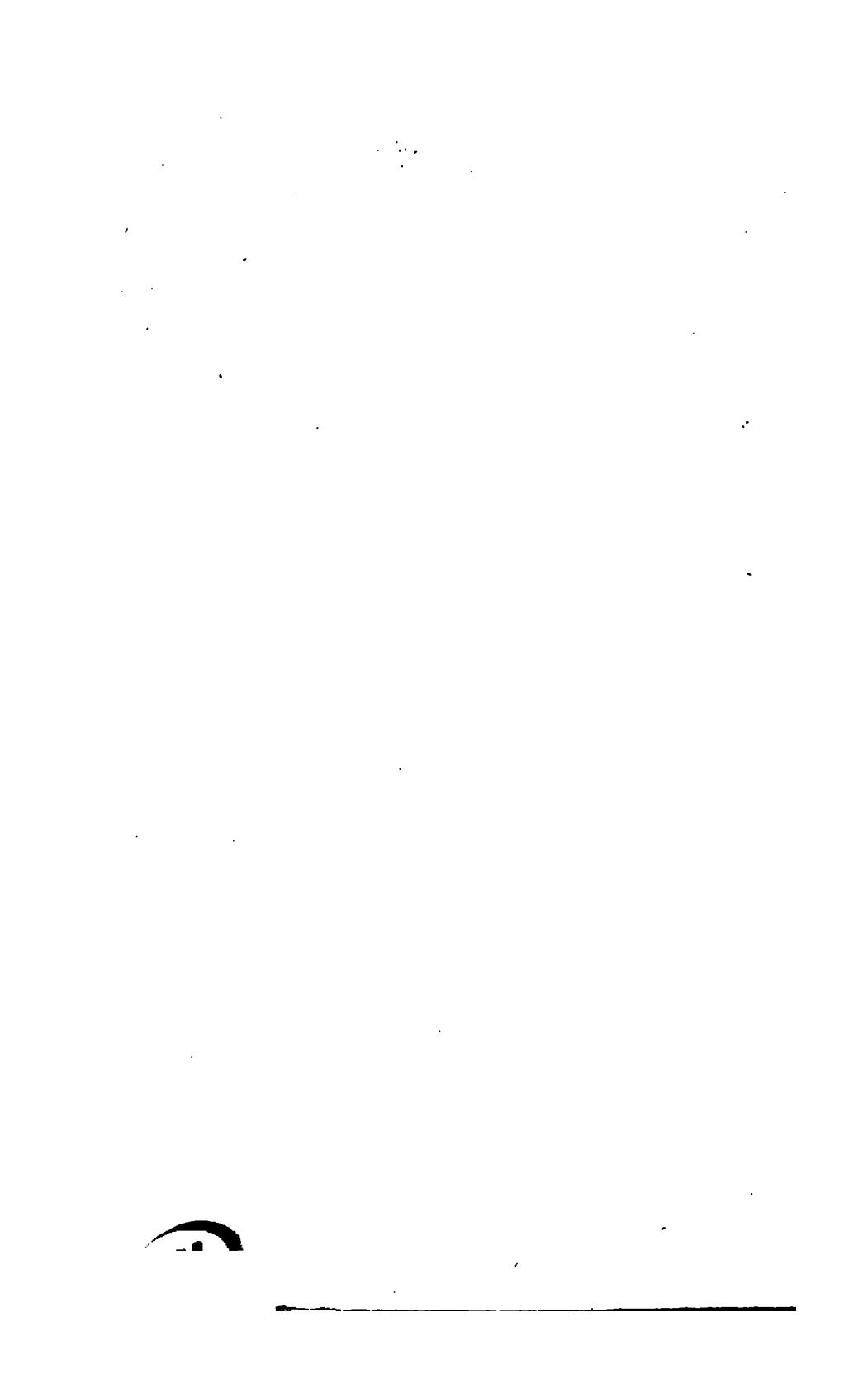






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**THE
HISTORY
OF THE
PROGRESS AND TERMINATION
OF THE
ROMAN REPUBLIC.**

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THE
HISTORY
OF THE
PROGRESS AND TERMINATION
OF THE
ROMAN REPUBLIC.

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CAN SOCIETY OF ANTIQUARIES AT CORTONA,
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THE
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CHAP. X.

State of the Italian allies, and the views which now began to be entertained by them.—Appearance of Caius Gracchus.—Resolution to purge the city of aliens.—Consulate and factious motions of Fulvius Flaccus.—Conspiracy of Fregellæ suppressed.—Caius Gracchus returns to Rome.—Offers himself candidate for the tribunate.—Address of Cornelia.—Tribunate and acts of Caius Gracchus.—Re-election.—Proposed to admit the inhabitants of Italy on the rolls of Roman citizens.—Popular acts of Gracchus and Livius.—The Senate begin to prevail.—Death of Caius Gracchus and Fulvius.

THE eruption of Ætna, and other particulars relating to the natural history of the earth, with the mention of which we concluded our last chapter, were considered as prodigies, or presages of evils which were yet to afflict the republic of Rome. At this time, indeed, the state of Italy seemed to have received the seeds of much trouble, and to contain

ample materials of civil combustion. Ever since passing the Agrarian law, the Roman citizens, for whom no provision had been made at their return from military service, or who thought themselves partially dealt with in the colonies, the leaders of tumult and faction in the city, were now taught to consider landed property as their joint inheritance. They were, in imagination, distributing their lots, and selecting their shares.

In the mean time, the inhabitants of the municipia, or free towns, and their districts, who, not being Roman citizens, took part with the State as subjects, had reason to dread the rapacity of such needy and powerful sovereigns. They themselves likewise began to repine under the inequality of their own condition. They observed, that while they were scarcely allowed to retain the possessions of their fathers, Rome, aided by their arms, had gained that extensive dominion, and obtained that territory, about which the poor and the rich were now likely to quarrel among themselves. And "the Italian allies," they said, "must bleed in this contest, "no less than they have done in the foreign or "more distant wars of the commonwealth." They had been made, by the professions of Tiberius Gracchus, to entertain hopes that every distinction in Italy would soon be removed, that every freeman in the country would be enrolled as a citizen of Rome, and be admitted to all the powers and pretensions implied in that designation. The consideration of this subject, therefore, could not long be delayed; and the Roman Senators, already struggling with

the claims of their fellow-citizens, had an immediate storm to apprehend from the allies.

Transitions equivalent to revolution had been so frequent in this republic, and its progress from small beginnings to a great empire had been so rapid, that the changes to which men are exposed, and the exertions of which they are capable, nowhere appear so conspicuous, nor are they anywhere so distinctly marked.

In the first ages of Rome, the distinctive importance of a citizen appears not to have been sensibly felt or understood. Conquered enemies were removed to Rome, and their captivity consisted in being forced to be Romans, a condition to which they submitted with great reluctance. In that period it is not to be doubted that every foreigner settling at Rome was welcome to take his place as a Roman citizen in the assembly of the people; that many were admitted into the Senate *, and some even were placed on the throne †. It is likely also, that the first colonies considered themselves as detached from the city, and as forming cantons apart; for we find them, like the other states of Italy, occasionally at war with the Romans.

But when the sovereignty of Italy came to be established at Rome, and was there actually exercised by the collective body of the people, the inhabitants of the colonies, it is probable, laid claim to their votes at elections, and presented themselves to be enrolled

* The Claudian family were aliens.

† Tarquinus Priscus was of Greek extraction, and an alien from Tarquinii.

in the tribes. They felt their own consequence and their superiority over the municipia, or free towns in their neighbourhood, to whom, as a mark of distinction and an act of munificence, some remains of independence had been left. Even in this state, the rolls of the people had been very negligently made up or preserved. The Kings, the Consuls, the Censors, who were the officers in different ages of the state, intrusted with the musters, gave the privilege of citizens to such as presented themselves, or to such as they were pleased to receive on the rolls. One Consul invited all the free inhabitants of Latium to poll in the assemblies of the people ; another rejected them, and in time of elections forbade them the city. But notwithstanding this prohibition, aliens who had been brought to Rome even as captives, were suffered by degrees to mix with the citizens *. The inhabitants of the free towns, removing to Rome upon any creditable footing, found easy admission among the members of some tribe ; but from the facility of this admission, the towns complained they were depopulated ; and the Senate at last, sensible of the abuse, endeavoured to shut the gates of their city by repeated scrutinies, and the prohibition of surreptitious enrolments ; but in vain. The practice still continued, and the growing privilege, distinction and eminence of a Roman citizen, made that title become the great object of ambition to individuals and to entire cantons. It had already been extended to districts whose in-

* This happened particularly in the case of the Campanians.

habitants were not distinguished by any singular merit towards the Roman State. In this respect all the allies were nearly equal ; they had regularly composed at least one half in every Roman army, and had borne an equal share in all the dangers and troubles of the commonwealth ; and, from having valued themselves of old on their separate titles and national distinctions, they began now to aspire to a share in the sovereignty of the empire, and wished to sink for ever their municipal designations under the general title of Romans.

Not only the great power that was enjoyed in the assembly of the people, and the serious privileges that were bestowed by the Porcian law, but even the title of citizen in Italy, of legionary soldier in the field, and the permission of wearing the Roman toga or gown, were now ardently coveted as marks of dignity and honour. The city was frequented by persons who hoped separately to be admitted in the Tribes, and by numbers who crowded from the neighbouring cantons on every remarkable day of assembly, still flattering themselves, that the expectations which Gracchus had given on this important subject might soon be fulfilled.

In this state of affairs, the Senate authorised Ju-
U. C. 627. nius Pennus, one of the Tribunes, to move
Consuls : the people for an edict to prohibit, on days
M. Emilius Lepi- of election, or public assembly, this con-
dus, L. course of aliens, and requiring all the coun-
Aurelius Orestes. try towns in Italy to recall their denizens,
who had left their own corporations to act the part
of citizens at Rome.

On this occasion, Caius Gracchus, the brother of the late unfortunate Tribune, stood forth, and made one of the first exhibitions, in which he displayed the extent of his talents, as well as made known the party he was likely to espouse in the commonwealth. Being about twenty years of age when the troubles occasioned by his elder brother had so much disturbed the republic, and ended so fatally for himself, this young man retired upon that catastrophe from the public view, and made it uncertain whether the sufferings of his family might not deter him, not only from embracing like dangerous counsels, but even from entering at all on the scene of political affairs. His retirement, however, he had employed in such studies as were then come into repute, on account of their importance, as a preparation for the business of the courts of justice, of the Senate, or the popular assemblies ; and the first public appearance he made gave evident proof of the talents he had acquired for these several departments. His parts seemed to be quicker, and his spirit more ardent, than those of his brother Tiberius ; and the people conceived hopes of having their pretensions revived, and more successfully conducted, than they had been under any former leader. The cause of the country towns, in which he now engaged, was specious ; but as the part he took in it was likely to form a new and a numerous party, prepared for every factious attempt, and as he professed to make way for the promiscuous admission of strangers on the rolls of the people, a measure which tended so much to distract the republic, to diminish the consequence of those who were

already citizens, the argument in favour of the resolution to purge the city of aliens prevailed, and an act to that purpose, now moved in the assembly of the people, accordingly passed *.

It deserves to be recorded, that amidst the inquiries set on foot in consequence of this edict, or about this time, Perperna, the father of a late Consul †, was claimed by one of the Italian corporations, and found not to have been a citizen of Rome. His son, whom we have already mentioned, having vanquished and taken Aristonicus, the pretended heir of Attalus, died in his command at Pergamus; he is accordingly said to have been a rare example of the caprice of fortune, in having been a Roman Consul, though not a Roman citizen; an example which may farther confirm what has been already observed of the latitude which officers took in conducting the Census.

The fires of sedition which had some time preyed on the commonwealth, were likely to break out with increasing force upon the promotion of Fulvius Flaccus to the dignity of first magistrate. This factious citizen had blown up the flame with Tiberius Gracchus, and having succeeded him in the commission for executing the Agrarian law, never failed to carry the torch wherever matter of inflammation or general combustion could be found. By his merit with the popular party he had attained his present

U. C. 628.
M. Fulvius
Hippalus, M.
Fulvius
Flaccus.

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* Sextus Pompeius Festus in voce Republica. Cicero in Bruto, in Officiis, lib. iii.

† Valerius Maximus, lib. iii, c. 4.

eminence, and was determined to preserve it by continuing his services. He accordingly began the functions of his office by proposing a law to communicate the freedom of the city to the allies or free inhabitants of Italy ; a measure which tended to weaken the power of the Senate, and to increase the numbers of the people greatly beyond what could be convened in any one collective body. Having failed in this attempt, he substituted a proposal in appearance more moderate, but equally dangerous, That whoever claimed the right of citizen, in case of being cast by the Censors, who were the proper judges, might appeal to the popular assembly *. This might have conferred the power of naturalization on the leaders of faction ; and the danger of such a measure called upon the Senate to exert its authority and influence in having this motion also rejected.

The Consul thus already entered on his popular career, uniting the power of supreme magistrate with that of a commissioner for the execution of the Agrarian law, and likely to break through all the forms which had hitherto retarded or stood in the way of his measure, was with difficulty persuaded to call a meeting of the Senate, and to take his place in that body. The whole, as soon as they were met, joined in representations against these dangerous measures, and in a request that he would withdraw his motions. To these expostulations he made no reply † ; but an occasion soon afterwards

* Appian. de Bell. Civ. lib. i.

† Val. Max. lib. ix, c. 5.

offered, by which the Senate was enabled to divert him from these factious pursuits in the city. A deputation arrived from Marseilles, then in alliance with Rome, to request the support of the republic against the Salyii, a neighbouring nation, who had invaded their territories. The Senate gladly embracing this opportunity to find employment abroad for the Consul, decreed a speedy aid to the city of Marseilles, and appointed M. Fulvius Flaccus to that service. Although this incident marred or interrupted for the present the political designs of the Consul, yet he was induced, by the hopes of a triumph, to accept of the command which offered, and by his absence, to relieve the city for a while from the alarms which he had given. Caius Gracchus, too, was gone in the rank of Proquaestor to Sardinia ; and the Senate, if they could by any pretence have kept those unquiet spirits at a distance, had hopes of restoring the former order of the commonwealth.

In this interval some laws are said to have passed respecting the office and conduct of the Censors. The particulars are not mentioned ; but the object probably was, to render the magistrate more circumspect in the admission of those who claimed to be numbered as citizens. Such at least was likely to be the policy of the State in the absence of demagogues, who, by proposing to admit the allies on the rolls of the people, had awakened dangerous pretensions in every corner of Italy. It soon appeared how seriously these pretensions were adopted by the country towns ; for the inhabitants already bestirred themselves, and were beginning to devise how they

might extort by force what they were not likely to obtain with consent of the original citizens of Rome. A suspicion having arisen of such treasonable concerts forming at Fregellæ *, the Praetor Opimius had a special commission to inquire into the matter, and to proceed as he should find the occasion required. Having summoned the chief magistrate of the place to appear before him, he received from this officer, upon a promise of security to his own person, full information of the combinations that had been forming against the government of Rome. So instructed, the Praetor assembled such a force as was necessary to support him in asserting the authority of the State ; and thinking it necessary to give a striking example in a matter of so infectious and so dangerous a nature, he ordered the place to be razed to the ground †.

By this act of severity, the designs of the allies were for a while suspended, and might have been entirely suppressed, if the factions at Rome had not given them fresh encouragement and hopes of success or impunity. This transaction was scarcely past, when Caius Gracchus appeared in the city to solicit the office of Tribune ; and, by his presence, revived the hopes of the allies. Having observed, that the Proconsul Aurelius Cotta, under whom he was acting as Proquaestor in Sardinia, instead of being recalled, was continued in his command, and furnished with

U. C. 629. C. Cassius Longinus. C. Sextius Calvinius.

* A municipal town of the Liris, now Monte Corvo on the Garighano.
† Liv. lib. ix. Velleius Obsequens. Cic. lib. ii, De Inventione ; De Finibus, v. Ibid. Rhetorius, lib. iv.

reinforcements and supplies of every sort, as for a service of long duration ; and suspecting that this measure was pointed against himself, and proceeded from a design to keep him at a distance from the popular assemblies, he quitted his station in Sardinia and returned to Rome without leave. Being called to account by the Censors for deserting his duty ; he defended himself with such ability and force, as greatly raised the expectations which had already been entertained by his party *.

The law, he said, required him only to carry arms ten years; he had actually carried them twelve years; although he might legally have quitted his station of Quæstor at the expiration of one year, yet he had remained in it three years. However willing the Censors might have been to remove this turbulent spirit from the commonwealth, they were too weak to attempt any censure in this state of his cause, and in the present humour of the people. They endeavoured, in vain, to load him with a share in the plot of Fregellæ ; he still exculpated himself : and, if he had possessed every virtue of a citizen, in proportion to his resolution, application, eloquence, and even severity of manners, he might have been a powerful support to the State. In a speech to the people, on his return from Sardinia, he concluded with the following remarkable words : “ The purse “ which I carried full to the province, I have brought “ empty back. Others having cleared the wine “ casks which they carried from Italy, bring them

* Plutarch. in C. Graccho.

"back from the provinces replenished with silver
"and gold *."

In declaring himself a candidate for the office of Tribune, Caius Gracchus professed his intention to propose many popular acts. The Senators exerted all their influence to disappoint his views; but such were the expectations now entertained in Italy, that multitudes crowded to the election in greater numbers than could find place in the public square. His partisans handed and reached out their ballots at the windows and over the battlements; but Gracchus, though elected, was, in consequence of the opposition he met with, only fourth in the list †.

Cornelia, the sister of one Scipio Africanus, and the mother-in-law of the other, but still better known as the mother of the Gracchi, who, ever since the death of her son Tiberius, lived in retirement in Campania, upon hearing of the career which her son Caius was likely to run, alarmed at the renewal of a scene which had already occasioned her so much sorrow, expostulated with him on the course he was taking; and, in an unaffected and passionate address, spoke that ardent zeal for the republic, by which the more respectable citizens of Rome had been long distinguished.

This high-minded woman, on whom the entire care of her family had devolved by the death of her husband, whilst the children were yet in their infancy, or under age, took care, with unusual atten-

* A. Gellius, lib. xv, c. 12.

† Plutarch. Appian. Orosius. Eutrop. Obsequens.

tion, to have them educated for the rank they were to hold in the State, and did not fail even to excite their ambition. When Tiberius, after the disgrace of Mancinus, appeared to withdraw from the road of preferments and honours : “ How long,” she said, “ shall I be distinguished as the mother-in-law “ of Scipio, not as the mother of the Gracchi?” This latter distinction, however, she came to possess ; and it has remained with her name, but from circumstances and events which this respectable personage by no means appeared to desire. In one fragment of her letters to Caius, which is still preserved, “ You will tell me,” she said, “ that it is “ glorious to be revenged of our enemies. No one “ thinks so more than I do, if we can be revenged “ without hurt to the republic ; but if not, often may “ our enemies escape. Long may they be safe, if the “ good of the commonwealth requires their safety.” In another letter, which appears to be written after his intention of suing for the Tribuneate was declared, she accosts him to the following purpose : “ I take “ the gods to witness, that, except the persons who “ killed my son Tiberius, no one ever gave me so “ much affliction as you now do in this matter. “ You, from whom I might have expected some “ consolation in my age, and who, surely, of all my “ children, ought to be most careful not to distress “ me ! I have not many years to live. Spare the “ republic so long for my sake. Shall I never see “ the madness of my family at an end ? When I am “ dead, you will think to honour me with a parent’s “ rites ; but what honour can my memory receive

“ from you, by whom I am abandoned and dishonoured while I live ? But may the gods forbid you should persist ! If you do, I fear the course you are taking leads to remorse and distraction, which will end only with your life *.”

These remonstrances do not appear to have had any effect. Caius, upon his accession to the Tribune, proceeded to fulfil the expectations of his party. The Agrarian law, though still in force, had met with continued interruption and delay in the execution. It was even falling into neglect.

Lex Sempronias agraria. Caius thought proper, as the first act of his magistracy, to move a renewal and confirmation of it, with express injunctions, that there should be an annual distribution of land to the poorer citizens †. To this he subjoined, in the first year of his office, a variety of regulations tending either to increase his own popularity, or to distinguish his administration. Upon his motion, public granaries were erected, and a law was made, that the corn should be issued from thence monthly to the people, two parts in twelve under the prime or original cost ‡.

This act gave a check to industry, which is the best guardian of manners in populous cities, or wherever multitudes of men are crowded together.

* Fragments Corn. Nepotis ab Andrea Scotto collecta, edita cum scriptis Corn. Nepotis.

† Liv. lib. ix. Velleius, lib. ii. Hyginus de Limitibus. Appian. de versione illiustribus.

‡ Semisse et trienti, for a half and a third, &c. Liv. Plutarch, Appian. Ibid.

Caius likewise obtained a decree, by which the estates of Attalus, king of Pergamus, lately bequeathed to the Romans, should be let in the manner of other lands under the inspection of the Censors; but the rents, instead of being made part of the public revenue, should be allotted for the maintenance of the poorer citizens *.

Another, by which any person deposed from an office of magistracy by the people, was to be deemed for ever disqualified to serve the republic in any other station. This act was intended to operate against Octavius, who, by the influence of Tiberius, had been degraded from the office of Tribune; and the act took its title from the name of the person against whom it was framed †.

To these were joined, an act to regulate the conditions of the military service ‡, by which no one was obliged to enter before seventeen years of age, and by which Roman soldiers were to receive clothing as well as pay ||; possibly the first introduction of a uniform into the Roman legions: a circumstance which, in modern times, is thought so essential to the character of troops, or the appearance of an army.

By the celebrated law of Porcius, which allowed of an appeal to the People, every citizen had a remedy against any oppressive sentence or proceeding of the executive magistrate; but this did not

* Florus, lib. iii, c. 15. Cicer. in Verrem.

† Privilegium in Octavium. ‡ De milittum commodis.

|| Plutarch, in C. Graccho.—Lex Sempronis de libertate civium.

appear to Gracchus a sufficient restraint on the officers of state. He proposed to have it enacted, that no person, under pain of a capital punishment, should at all proceed against a citizen without a special commission or warrant from the people to that effect. And he proposed to give this law a retrospect, in order to comprehend Popilius Lænas *, who, being Consul in the year after the troubles occasioned by Tiberius Gracchus, had, under the authority of the Senate alone, proceeded to try and condemn such as were accessory to that sedition. Lænas perceived the storm that was gathering against him, and chose to avoid it by a voluntary exile. This act was indeed almost an entire abolition of government, and a bar to the most ordinary measures, required for the peace of the commonwealth. A popular faction could withhold every power, which, in their apprehension, might be employed against themselves ; and in their most pernicious designs had no interruption to fear from the Dictator named by the Senate and Consuls, nor from the Consul armed with the authority of the Senate for the suppression of disorders ; a resource to which the republic had frequently owed its preservation. But as we find no change in the administration of justice upon this new regulation, it is probable that the absurdity of the law prevented its effect.

While Gracchus thus proposed to make all the powers of the State depend for their existence on the

* Cicer. in Cluentio ; pro Rabino ; pro domo sua.

occasional will of the people, he meant also to render the assemblies of the people themselves more democratical, by stripping the higher classes of any prerogative or influence they might derive from mere precedence, in leading the public decisions. The Centuries being hitherto called to vote in the order of their classes, those of the first or highest class, by voting first, set an example which influenced the whole *. To obviate which for the future, the Centuries, by the statute of Gracchus, were required, in every question, to draw lots for the prerogative, or first place in the order of voting, and to declare their suffrage in the place they had drawn,

Under this active Tribune, much public business that used to pass through the Senate, was engrossed by the popular assemblies. Even in the form of these assemblies, all appearance of respect to the Senate was laid aside. The Rostra, or platform on which the presiding magistrate stood, was placed in the middle of an area, of which one part was the market-place, surrounded with stalls and booths for merchandise, and the courts of justice ; the other part, called the Comitium, was open to receive the people in their public assemblies ; and on one side of it, fronting the Rostra, or bench of the magistrates, stood the Curia, or Senate-house. The people, when any one was speaking, stood partly in the market-place, and partly in the Comitium. The speakers directed their voice to the Comitium, so as to be heard in the Senate. This disposition, Grac-

* The first Century was called the Prerogativa.

chus reversed; and directing his voice to the Forum, or market-place, seemed to displace the Senate, and to deprive that body of their office as watchmen and guardians of the public order in matters that came before the popular assemblies *.

At the time that the Tribune Caius Gracchus engaged the minds of his contemporaries, and furnished history chiefly with these effects of his factious and turbulent spirit, it is observed, that he himself executed works of general utility; bridges, high-ways, and other public accommodations throughout Italy: That the state having carried its arms, for the first time, beyond the maritime extremity of the Alps, happily terminated the war with the Salyii, a nation of Gaul, whose territory in the sequel became the first province of Rome in that country: And that, in consequence of what passed in this quarter, Caius Sextius, Consul of the preceding year, was authorised to place a colony in the neighbourhood of the hot springs, which, from his name, were called the Aquæ Sextiæ, and are still known by a corruption of the same appellation †,

From Asia, at the same time, it was reported, that Ariarathes, the king of Cappadocia, and ally of the Romans, was murdered, at the instigation of Mithridates, king of Pontus, whose sister he had married; that the murdered prince had left a son for whom Mithridates affected to secure the kingdom; but

* M. Varro de Re Rustica, lib. i, c. 2. Cic. de Amicitia. Plutarch. in vit. Caii Gracchi.

† At Aix, in Provence.

that the widowed queen having fallen into the hands of Nicomedes, king of Bithynia, this prince, in her right, had taken possession of Cappadocia, while Mithridates, in name of his nephew, was hastening to remove him from thence. On this subject a resolution was adopted in the assembly of the people at Rome, that both Nicomedes and Mithridates should be required immediately to evacuate Cappadocia, and to withdraw their troops. This resolution Caius Gracchus opposed with all his eloquence and his credit, charging his antagonists aloud with corruption, and a clandestine correspondence with the agents, who, on different sides, were now employed at Rome in soliciting this affair. "None of "us," he said, "stand forth in this place for no- "thing. Even I, who desire you to put money in "your own coffers, and to consult the interest of "the state, mean to be paid, not with silver or gold "indeed, but with your favour and a good name. "They who oppose this resolution likewise covet, "not honours from you, but money from Nicome- "des; and they who support it, expect to be paid "by Mithridates, not by you. As for those who "are silent, they, I believe, understand the market "best of all. They have heard the story of the "poet, who being vain that he had got a great sum "of money for rehearsing a tragedy, was told by "another, that it was not wonderful he had got so "much for talking, when I, said the other, who it "seems knew more than he was wished to declare, "have got ten times as much for holding my tongue.

"There is nothing that a king will buy at so great a price, on occasion, as silence *."

Such, at times, was the style in which this popular orator was pleased to address his audience. Individuals are won by flattery, the multitude by buffoonery and satire. From the tendency of this speech, it appears to have been the opinion of Gracchus, not that the Romans should sequester the kingdom of Cappadocia for the heirs of Ariarathes, but that they should seize it for themselves. The question, however, which now arose relating to the succession to this kingdom, laid the foundation of a tedious and bloody war, of which the operations and events will occur in their place.

Gracchus, on the approach of the election of Consuls, employed all his credit and influence U. C. 639. C. Fannius, Cn. Domitius Ahenobarbus. to support Caius Fannius, in opposition to Opimius, who, by his vigilance and activity in suppressing the treasonable designs of the allies at Fregellæ, had incurred the displeasure of the popular party; and Fannius being accordingly chosen, together with Cn. Domitius Ahenobarbus, Gracchus proceeded to offer himself as a candidate to be re-elected into the office of Tribune. In this he followed the example of his brother Tiberius in a step, which, being reckoned illegal as well as alarming, was that which hastened his ruin. An attempt had been since made by Papirius Carbo to have the legality of such re-elections acknowledged; but this having failed, Caius Gracchus, with great

address, inserted in one of his popular edicts, a clause declaring it competent for the people to re-elect a Tribune, in case he should need a continuation of his power in order to fulfil his public engagements.

To avail himself of this clause, he now declared, that his views in behalf of the people were far from being accomplished. Under this pretence he obtained a preference to one of the new candidates, and greatly strengthened the tribunitian power by the prospect of its repeated renewals, and duration for an indefinite time.

After his re-election, Caius, continuing his administration as before upon the same plan of animosity to the Senate, obtained a law to deprive that body of the share which his brother had left them in the courts of justice ; and ordaining, that the judges, for the future, should be draughted from the Equestrian order alone, a class of men, who, being left out of the Senate, and of course not comprehended in the laws that prohibited commerce, had betaken themselves, as has been observed *, to lucrative professions, were the farmers of the revenue, the contractors for the army, and, in general, the merchants who conducted the whole trade of the republic. Though they might be considered as neutral in the disputes of the Senate and people, and therefore impartial where the other orders were biassed, there was no class of men, from their ordinary habits, more likely to prostitute the character of judges for interest or actual hire.

Lex Sempronnia Ju-
diciaria.

This revolution in the courts of justice accordingly may have contributed greatly to hasten the approaching corruption of manners, and the disorders of the state.

The next ordinance prepared by Gracchus, or ascribed to him, related to the nomination of officers to govern the provinces ; and, if it had been strictly observed, might have made some compensation for the former. The power of naming such officers was committed to the Senate, and the arrangements were to be annually made before the election of Consuls. This continued to be law, but was often overruled by the people *.

In the same year, the boldest and most dangerous project ever formed by any popular leader, that of extending the roll of citizens to all the Italian allies, already attempted by Fulvius Flaccus, was again renewed by Caius Gracchus ; and by the utmost exertion of the vigilance and authority of the Senate, with great difficulty prevented.

The rumour of this project having brought multitudes to Rome, the Senate thought it necessary to give the Consuls in charge, that on the day this important question was to come on, they should clear the city of all strangers, and not suffer any aliens to remain within four miles of the walls. While this business remained in suspense, Gracchus flattered the poorer citizens with the prospect of advantageous settlements, in certain new colonies, of six thousand

* Florus, lib. iv, c. 13. Sallust. de Bell. Jugurth. No. 621. Cicero de Provinciis Consularibus.

men each, which he proposed to plant in the districts of Campania and Tarentum, the best cultivated and most opulent parts of Italy, and in colonies, which he likewise proposed to send abroad into some of the richest provinces. Such settlements had been formerly made to occupy and secure some recent conquest abroad ; they were now calculated to serve as allurements to popular favour, and as a provision, made by the leaders of faction, for their own friends and adherents at Rome.

The Senate, attacked by such popular arts, resolved to retort on their adversaries ; and for this purpose encouraged Marcus Livius, another of the Tribunes, and probably jealous of Gracchus, to take such measures as should, if possible, supplant him in the favour of the people. Livius, accordingly, professing to act in concert with the Senate, proposed a number of acts : one to conciliate the minds of the allies, by giving them, while they served in the

Lex Livia
de Tergo
Civium
Latini No-
minis. army, the same exemption from corporal punishment, which the Roman citizens had enjoyed. Another for the establishment of twelve different colonies, each of three thousand citizens. But what, possibly, had the greatest effect, because it appeared to exceed in munificence all the edicts of Gracchus, was an exemption of all those lands, which should be distributed in terms of the late Sempronian Law, from all quit-rents and public burdens, which had hitherto, in general, been laid on all possessions that were held from the public *. It was proposed to name ten commis-

* Plutarch, Paulus Minutius de Legibus Romanis.

ers to distribute lands thus unencumbered to the people ; and three colonies are mentioned, Syllaeum, Tarentum, and Neptunia or Pestum, as having been actually sent abroad in this year, and probably on these terms.

About the same time it was decreed, that the city Lex Ru-
bria. of Carthage should be rebuilt for the recep-
tion of a colony of six thousand Roman citizens. This decree bears the name not of Sempronius or of Livius, but of Rubrius, another Tribune of the same year.

The Senate readily agreed to the settlement of these colonies, as likely to divide the popular favour, to carry off a number of the more factious citizens, and to furnish an opportunity likewise of removing from the city, for some time, the popular leaders themselves, under pretence of employing them to conduct and to settle the families destined to form those establishments. Accordingly, Caius Gracchus, and Fulvius Flaccus, late Consul, and now deeply engaged in all these factious measures, were destined to take charge of the new colonists, and to superintend their settlement *.

In the mean time, the Senate, in the election of Opimius to the Consulship of the following year, carried an object of the highest im-
portance to the reputation and interest of their party, and by the authority of this magistrate, conceived hopes of being able to combat the designs of Gracchus more effectually than they

V. C. 632.
Con. L. O.
Opimius, Q.
Fab. Max.
imus.

* Plutarch. Appian. Orosius.

had hitherto done. Opimius was accordingly retained in the administration of affairs in Italy, while his colleague, Fabius, was appointed to command in Gaul.

Caius Gracchus, having the presumption to offer himself a third time candidate for the office of Tribune, was rejected, and had the mortification to find, that the authority of the Senate began to prevail ; ~~and they had credit enough to procure his exclusion from any share in the magistracy, so they might be able to frustrate or reverse many of the acts he had obtained in the pursuit or execution of his projects.~~

By the repulse of Gracchus and his associates, the aristocratical party came to have a majority, even in the college of Tribunes. Questions of legislation were now likely to be determined in the assembly of the Centuries ; and this circumstance alone, while the Senate was able to retain it, was equivalent to an entire restitution of the aristocratical government. The Centuries, under the leading of an active Consul, were likely to annul former resolutions with the same decision and rapidity with which they had been passed. Much violence was expected, and the different parties, recollecting what had happened in the case of Tiberius Gracchus, and careful not to be surprised by their antagonists ; for the most part came to the place of assembly in bands, even under arms, and endeavoured to possess the advantage of the ground as in the presence of an enemy.

Minucius, one of the Tribunes, in consequence of a resolution of the Senate, pretending that he was

moved by some unfavourable presages, proposed a repeal or amendment of some of the late popular acts ; and particularly, to change the destination of the colony intended for Carthage, to some other place. This motion was strenuously opposed by Fulvius Flaccus and by Caius Gracchus, who treated the report of presages from Africa as a mere fiction, and the whole design as proceeding from the inveterate hatred of the nobles to the people. Before the assembly met, in which this question was to be decided, the popular leaders attempted to seize the Capitol, but found themselves prevented by the Consul, who had already, with an armed force, secured that station.

In the morning after they had received this disappointment, the people being assembled, and the Consul being employed in offering up the customary sacrifices, Gracchus, with his party, came to their place in the Comitium. One of the attendants of the Consul, who was removing the entrails of a victim, reproached Gracchus, as he passed, with sedition, and in the petulance of a retainer to power, bid him desist from his machinations against the government of the commonwealth. On this provocation, one of the party of Gracchus struck the offender with his dagger, and killed him on the spot. The cry of murder ran through the multitude, and the assembly began to break up. Gracchus endeavoured to speak, but could not be heard for the tumult ; and all thoughts of business were laid aside. The Consul immediately summoned the Senate to meet ; and having reported a murder committed in the place of

assembly, and what appeared to him the first act of hostility in a war, which the popular faction had prepared against the State, he received the charge that was usual on perilous occasions, to provide, in the manner which his own prudence should direct, for the safety of the commonwealth. Thus authorised, he commanded the Senators and the Knights to arm, and made proper dispositions to secure the principal streets. Being master of the Capitol and Forum, he adjourned the assembly of the people to the usual place on the following day, and cited the persons accused of the murder that was recently committed, to answer for the crime which was laid to their charge.

In consequence of this adjournment, and the Consul's instructions, numbers in arms repaired to the Comitium at the hour of assembly, and were ready to execute such orders as they might receive for the public safety. Gracchus and Fulvius refused to obey the citation they had received, and the Capitol being secured against them, they took post, with a numerous party in arms, on the Aventine Hill, which was opposite to the Capitol, and from which, though more distant, they equally looked down on the Circus, the Forum, and the place of assembly.

Being again cited to appear at the Tribunal of the Roman People, they sent a young man, one of the sons of Fulvius, to capitulate with the Consul, and to settle the terms on which they should descend from their stronghold. To this message they were told, in return, that they must answer at the bar of the assembly, as criminals, not pretend to negotiate

with the republic, as equals ; that no party, however numerous, was entitled to parley with the people of Rome : and to this answer the messenger was forbidden, at his peril, to bring any reply. The party, however, still hoped to gain time, or to divide their enemies ; and they ventured to employ young Fulvius again to repeat their message. He was seized by the Consul's order. Gracchus and Fulvius, with their adherents, were declared public enemies ; and a reward was offered to the person who should kill or secure them. They were instantly attacked, and, after a little resistance, forced from their ground. Gracchus fled by the wooden bridge to the opposite side of the Tiber, and was there slain, either by his own hand, or by that of a faithful servant, who had undertaken the task of thus saving him in his last extremity from falling into the power of his enemies. Fulvius was dragged to execution from a bath where he attempted to conceal himself. The heads of both were carried to the Consul, and exchanged for the promised reward.

In this fray the party of the Senate, being regularly armed and prepared for slaughter, cut off the adherents of Caius Gracchus and Fulvius in greater numbers than they had done those of Tiberius ; they killed about three thousand two hundred and fifty in the streets, and confined great numbers, who were afterwards strangled in the prisons. The bodies of the slain, as the law ordained in the cases of treason, being denied the forms of a funeral, were cast into the river, and their estates confiscated *.

* Appian. Plutarch. Orosius, lib. v, c. 12. Florus, lib. iii, c. 15. Auctor de Viris Illustribus, c. 65.

The house of Fulvius was razed, and the ground on which it stood was laid open for public uses. From these beginnings, it appeared that the Romans, who, in the pursuit of their foreign conquests, had so liberally shed the blood of other nations, might become equally lavish of their own.

CHAP. XI.

State of order and tranquillity which followed the suppression of the late tumults.—Appearance of Caius Marius.—Foreign wars.—Complaints against Jugurtha.—Appearance of the Cimbri.—War with Jugurtha.—Campaign and treaty of Piso.—Jugurtha comes to Rome with a safe conduct.—Obliged to retire from thence.—Campaign of Metellus.—Of Marius.—Jugurtha betrayed by Bocchus.—His death after the triumph of Marius.—This general re-elected, in order to command against the Cimbri.

THE popular party had, in the late tumults, carried their violence to such extremes as disgusted and alarmed every person who had any desire of domestic peace ; and, in their ill-advised recourse to arms, but too well justified the measures which had been taken against them. By this exertion of vigour, the Senate and ordinary magistrates recovered their former authority ; affairs returned to their usual channel, and the most perfect order seemed to arise from the late confusions. Questions of legislation were allowed to take their rise in the Senate, and were not carried to the people, without the sanction of the Senate's authority. The legislative power was exercised in the assembly of the Centuries, and the prohibitory or defensive function of the Tribunes, or representatives of the people, with-

out stopping the proceedings of government, or substituting a democratical usurpation, was such as to check the abuses of executive power in the hands of the aristocracy. Even the judicative power, vested in the Equestrian order, promised to have a salutary effect, by holding a balance between the different ranks and distinctions of men in the republic.

Meanwhile the aristocratical party, notwithstanding the ascendant they had recently gained, did not attempt to rescind any of the regular institutions of Gracchus; they were contented with inflicting punishments on those who had been accessory to the late sedition, and with re-establishing such of the Nobles as had suffered by the violence of the popular faction. Popilius Lænas, driven into exile by one of the edicts of Gracchus, or by the persecution to which it exposed him, was now recalled upon the motion of Calpurnius Piso, one of the Tribunes *.

As the state of parties was in some measure reversed, Papirius Carbo, who wished to be of the winning side, thought proper to withdraw from that he had espoused; and by the credit of those now in possession of the government, was promoted to the station of Consul, and yielded the first fruits of his conversion by defending the cause of his predecessor Opimius, who, at the expiration of his Consulate, was brought to trial for having put Roman citizens to death without the forms of law. Carbo, though himself

U. C. 633.
Publius
Mandius,
and C. Pa-
pirius Car-
bo.

* Cicero in Brut.

connected with those who suffered in that instance, now pleaded the justice and necessity of the late military executions ; and, upon this plea, obtained the acquittal of his client.

This merit on the part of Carbo, however, did not so far cancel his former offences as to prevent his being himself tried and condemned in the following year, as an accomplice in the sedition of Gracchus. He was supposed to have been accessory to the murder of Scipio ; and his cause not being warmly espoused by any party, he fell a sacrifice to the imputation of this heinous crime. It is said, that upon hearing his sentence pronounced, he killed himself*.

Octavius, one of the Tribunes of the present year,
Lex Octa-
via Fru-
mentaria. moved an amendment of the law obtained
 by Gracchus, respecting the distribution
 of corn from the public granaries, proba-
 bly to ease the treasury in part of that burden ; but
 the particulars are unknown.

About this time appeared in the assemblies of the people the celebrated Caius Marius. Born of obscure parents in the town of Arpinum, on the Liris †, and formed amidst the occupations of a peasant ‡, and the hardships of a legionary soldier, of rustic manners, but of a resolute spirit, and eager ambition. Without any other apparent title than that of being a denizen of Rome, he now laid claim to the honours of the State. He is remarkable for having suffered more repulses in his first attempts

* Valerius Max. lib. iii, c. 7. Cicero in Bruto.

† The Garigliano. ‡ Juvenal. Sat. viii. Plin. lib. xxxiii, c. 11.

to be elected into office, and for having succeeded more frequently afterwards, than any other Roman citizen during the existence of the commonwealth.

Marius, after being disappointed in his first canvass for the office of Tribune, succeeded in the following year. The acts which were passed under his Tribune, and which bear his name, do not carry any

Lex Maria
de Suffra- violent expressions of party-spirit, nor give intimation of that insatiate ambition with which he afterwards distressed his country; the first related to the conduct of elections, and provided some remedy for an evil which was complained of in the manner of soliciting votes. The space between the rails, by which the citizens passed to give in their ballots, was so broad as to admit, not only those who came to vote, but the candidates also, with their adherents and friends, who came to importune and to overawe the people in the very act of giving their suffrage. Marius proposed to put an end to this practice, and to provide for the entire uninfluenced freedom of election, by narrowing the entrance, so that only the voters could pass. A party of the Nobles, with Aurelius Cotta the Consul at their head, not knowing with what a resolute spirit they were about to contend, being averse to this reformation, prevailed on the Senate to withhold its assent, without which any regular question on this subject could not be put to the people. But Marius, in the character of Tribune, threatened the Consul with immediate imprisonment, if he did not move the Senate to recall its vote. The matter being reconsidered, Lucius Metel-

lus, who was first on the rolls, having given his voice for affirming the first decree, was ordered by Marius into custody ; and there being no Tribune to intercede for him, must have gone to prison, if the dispute had not terminated by the majority agreeing to have the matter carried before the people, as Marius proposed, with the sanction of the Senate's authority.

In another of the acts of Marius, the republic was still more indebted to his wisdom and courage, in notwithstanding an attempt of one of his colleagues to flatter the indigent citizens at the expense of the public treasury, by lowering the terms on which corn, in pursuance of an order recently obtained by Octavius, was distributed from the granaries. This was an ordinary expedient of tribunitian faction. Marius opposed it as of dangerous consequence. And his conduct in this matter marked him out as one not to be awed by clamour, and a person who, into whatever party he should be admitted, was destined to govern. The times indeed were likely to give more importance to his character as a soldier than as a citizen ; and in that he was still farther raised above the censure of those who were inclined to revile or undervalue what were called his upstart pretensions *.

From the time that the Romans first passed into the Transalpine Gaul, as auxiliaries to the republic of Marseilles, they had maintained in that neighbourhood a certain military establishment ; and, by

* Plutarch. in Mario.

planting colonies at convenient stations, shewed their intention of retaining possessions on that side of the Alps. Betultus, or Betultich, a prince of the country, who was supposed to have a force at command of two hundred thousand men, attempted to expel these intruders, but was defeated, first by the Proconsul Fabius, afterwards by Domitius Ahenobarbus, who found in their conflicts with this enemy the occasion of their respective triumphs. This prince himself became a captive to Domitius, and was carried to Rome, where he was led in procession, distinguished by his painted arms and his chariot of silver, the equipage in which it was said he usually led his army to battle *.

It appears that the Romans had availed themselves of their possessions in Africa to be supplied with elephants from thence, and these they employed in the first wars they made in Gaul ; for the victory of Domitius is attributed to the effect that was produced by these animals †.

Quintus Marcius succeeded Domitius in the command of the troops which were employed in Gaul, and continued to gain ground on the natives, who took arms from different cantons successively against him. He planted a colony at Narbo, to strengthen the frontier of the newly acquired province on one side ; and, as the Romans had hitherto always passed by sea into that country, he

* Velleius Pater. Ammianus Marcel. lib. xv, fine. Pædianus in Verrinam Secundam. Val. Max. lib. v, c. 9.

† Suetonius in vita Neronis.

endeavoured to open a passage by the Alps, in order to have a communication by land with Italy on the other. In the course of these operations, the Stæni, an Alpine nation that obstructed his march, was entirely cut off.

About this time the Roman generals obtained their triumphs on different quarters, in the Baleares, and in Dalmatia, as well as in Gaul ; and the republic did not meet for some years with an enemy able to resist her power, except on the side of Thrace and the Ister or Danube, where a Proconsul of the name of Cato was defeated, and where a resistance was for some years kept up by the natives.

But of the foreign affairs which now occupied the attention of the Romans, the most memorable was that which arose from the contest of pretenders to the crown of Numidia, which, by the death of Micipsa, the son and successor of Massinissa, came to be disposed of about this time. The late king had two sons, Adherbal and Hiempsal. He had likewise adopted Jugurtha, the natural son of his brother Manastabal, whom he had employed at the head of his armies, thinking it safer to gain him by good offices, than to provoke him by a total exclusion from favour. This monarch had formed a project, frequent in barbarous times, but always ruinous, to divide his territories ; and he hoped that, while he provided for his own sons, he should secure to them, from motives of gratitude, the protection and good offices of Jugurtha, whom he admitted to an equal share with them in the partition of his kingdom. The consequences of this mistaken arrangement

soon appeared in the distractions that followed, and which arose from the ambition of Jugurtha, who, not content with his part of the kingdom, aspired to make himself master of the whole. For this purpose he formed a secret design against the lives of both the brothers, of whom the younger, Hiempsal, fell into a snare which was laid for him, and was killed. Adherbal, being more cautious, obliged his crafty enemy to declare himself openly, took the field against him with all the forces he could raise, but was defeated, and obliged to take refuge in the Roman province, and from thence thought proper to pass into Italy, in order to lay his complaints before the Senate and people of Rome.

Massinissa, the grandfather of this injured prince, had given effectual aid to the Romans in their wars with Carthage ; and, upon the final reduction of that republic, was rewarded with a considerable part of its spoils. From this time forward the Romans expected, and the kings of Numidia actually paid to them, a deference in the manner of a vassal or tributary prince to his sovereign lord. Upon the faith of this connection with Rome, Adherbal now carried his complaints to that city ; and Jugurtha, knowing how ready the Romans were, in the character of arbitrators, to consider themselves as the sovereign among nations, thought proper to send a deputation on his own part, to counteract the representations of his rival.

This crafty Numidian had served under Scipio at the siege of Numantia, where he had an opportunity of observing the manners and discipline of the

Romans, and accommodated himself to both. He was equally distinguished by his implicit submission to command, as by his impetuous courage, and by the ability of his conduct in every emergence. He had even then probably directed his views to the succession which was likely to fall into weak or incapable hands, and saw of what consequence the Romans might prove in deciding his fortunes. He had studied their character, and had already marked out the line he was to follow in conducting his affairs with them. They appeared to be a number of sovereigns assembled together, able in council, and formidable in the field ; but, in comparison to the Africans in general, open, undesigning and simple. With the pride of monarchs, they began, he imagined, to feel the indigence of courtiers, and were to be moved by considerations of interest rather than force. His commissioners were now accordingly furnished with ample presents, and with the means of gratifying the principal persons at Rome in a manner that was suited to their respective ranks and to their influence in the State.

In the choice of this plan, Jugurtha, like most politicians that refine too much, had formed a system with great ingenuity, and spoke of it with a specious wit ; but had not taken into his account the whole circumstances of the case in which he engaged. Rome, he used to say, was a city to be sold. But he forgot that, though many Romans could be bought, no treasure was sufficient to buy the republic ; that to buy a few, made it necessary for him to buy many more ; that as he raised expecta-

tions, the number of expectants increased without limit; that the more he gave, the more he was still expected to give; that in a state which was broke into factions, if he gained one party by his gifts, that alone would be sufficient to rouse up another against him. And accordingly, after lavishing his money to influence the councils of Rome, he was obliged to have recourse to arms at last, and to contend with the forces of the republic, after he had exhausted his own treasure in attempting to corrupt her virtue.

Although this adventurer had his abettors at Rome, such was the injustice of his cause, or the suspicion of treachery in those who espoused it, that they durst not openly avow their intentions. They endeavoured to suspend the resolutions which were in agitation against him, and had the matter referred to ten commissioners, who should go into Africa, and in presence of the parties settle the differences which subsisted between them. There indeed he was supposed to have practised his art on the Roman commissioners with better success than he had experienced with the Senate and people. He prevailed upon these commissioners to agree to a partition of the kingdom, and to favour him in the lot which should be assigned to himself: knowing that force must ultimately decide every controversy which might arise on the subject, he made choice, not of the richest, but of the most warlike division; and indeed, had already determined that, as soon as the Romans were gone from Africa, he should make an end of the contest by the death of Adherbal;

trusting that, by continuing to use the specific which it was said he had already applied, he might prevail on the Romans to overlook what they would not, on a previous request, have permitted.

He accordingly, soon after the departure of the Roman commissioners, marched into the territories of Adherbal, shut him up in the town of Cirta ; and, while the Romans sent him repeated messages to desist, still continued the blockade, until the mercenaries of Adherbal, tired of the hardships they were made to endure, advised, and, by their appearing ready to desert, forced him to commit himself to the mercy of Jugurtha, by whom he was immediately slain.

By these events, in about seven years from the death of Micipsa, Jugurtha attained the object which he had so long desired ; but the arts which procured him a crown, likewise rendered his state insecure. He was disappointed in his expectation to pacify the Romans. The money he dealt went into the pockets, only of a few, but his crimes roused the indignation of the whole people. Practised statesmen or politicians are seldom directed in their conduct by mere feelings of injustice respecting wrongs of a private nature. They have, or affect to have, reasons of state to set the consideration of individuals aside. The greater part of the Roman Senate, accordingly, whether acting on maxims of policy, or, according to the scandal of the times, won by the presents of Jugurtha, received the complaints which were lodged against him with indifference ; but the assembly of the people, moved by the cries of perfidy and

murder which were raised by the Tribunes, received the representations of his conduct with indignation and rage. These passions were inflamed by opposition to the Nobles, who were supposed to favour the murderer. Neither the most deliberate Statesman nor the most determined partisan of Jugurtha durst appear in his cause, nor propose to decline a war with that prince, although it was likely to be attended with considerable difficulties, and was to be undertaken at a time when a cloud hung over Italy itself on the side of Gaul, a quarter from which the Italians always expected, and often experienced, the most terrible storms.

About the time that Adherbal laid his complaints u. c. 627. against Jugurtha before the Senate of Rome, a new enemy had appeared. The north of Europe, or of Asia, had cast off a swarm of its people, which, spreading to the south and to the west, was first descried by the Romans on the frontier of Illyricum, and presently drew their attention to that side. The horde thus in motion was said to consist of three hundred thousand fighting men, accompanied by their families of women and children, and covering the plains with their cattle. The Consul Papirius Carbo was ordered to take post in Illyricum, to observe the motions of this tremendous host. Alarmed by their seeming to point towards the district of Aquileia, he put himself, with too little precaution, in their way; and, unable to withstand their numbers, was overwhelmed as by a tempest.

This migrating nation the Romans have called by the name of Cimbri, without determining from whence they came. It is said that their cavalry amounted to no more than fifteen thousand ; that it was their practice to despise horses, as well as the other spoils of an enemy, which they generally destroyed : and from this circumstance it may be argued, that they were not of Scythian extraction, nor sprung from those mighty plains in the northern parts of Asia, where military force has from time immemorial consisted of cavalry, and where the animal they mounted was valued above every other species of acquisition or property ; and that they must have been bred rather amongst mountains and woods, where the horse is not of equal service. On their helmets, which were crested with plumes, they carried the gaping jaws of wild beasts. On their bodies they wore breastplates of iron, had shields painted of a conspicuous colour, and carried two missile javelins or darts, and a heavy sword. They collected their fighting men, for the most part, into a solid column, equally extending every way : in one of their battles, it was reported, that the sides of this square extended thirty stadia, or between three and four miles. The men of the foremost ranks were fastened together with chains locked to their girdles, which made them impenetrable to every attack, and gave them the force of a torrent, in sweeping obstructions before them. Such were the accounts, whether well or ill founded, with which the Romans were alarmed on the approach of this tremendous enemy.

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This resolution being made known to the son of Jugurtha, he presently withdrew, and was soon followed by a Roman army, which had been already prepared to embark for Africa. The war was conducted at first with great vivacity and success: but

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During these transactions the time of the expiration of Piso's command drew near, and he himself was called into Italy to preside at the approaching elections. His report of the treaty with Jugurtha was received with suspicion, and the cry of corruption resumed by the popular party. "Where is "this captive ?" said the Tribune Memmius ; "if "he have surrendered himself, he will obey your "commands ; send for him ; question him in re- "spect to what is past. If he refuse to come, we "shall know what to think of a treaty which brings "impunity to Jugurtha, princely fortunes to a few "private persons, mortification and infamy to the "Roman Republic." Upon this motion the Praetor Cassius Longinus, a person of approved merit and unshaken integrity, was hastened into Africa, with positive instructions to bring the king of Numidia to Rome. By the safe-conduct which Cassius brought on the part of the republic, and by his own assuran-

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The Consul Albinus soon followed Jugurtha, to take the command of the Roman army in Africa; and being eager to perform some notable action before the expiration of his year, which was fast approaching, he pressed on the king of Numidia with all the forces he could assemble in the province, but found that he had to do with an enemy who had the art to elude him impetuosity, and from whose apparent conduct no judgment could be formed of his real designs. This artful warrior often advanced with a seeming intention to hazard a battle, when he was most resolved to decline it; or he himself precipitantly fled, when his design was to rally and take advantage of any disorder his enemy might incur in a too eager pursuit. His offers of submission, or his threats, were equally fallacious; and he used, perhaps in common with other African princes, means to mislead his antagonist, which Europeans, ancient as well as modern, have in general condemned. He made solemn capitulations and treaties with a view to break them, and considered breach of faith no more than a feint or an ambush, as a stratagem licensed in war. The Europeans have always termed it perfidy to violate the faith of a treaty, the Africans held it stupidity to be caught in the snare.

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understood on what lands they might settle *, or rather, over what lands they might pass, in migration with their families and herds. No return being made to this application by the Senate, they continued to wander, and opening their passage by force, overcame in battle the Consul Silanus, and, probably without intending to retain any conquest, passed on their way wherever the aspect of the country tempted their choice.

Metellus proceeded to Africa with a considerable reinforcement ; and, having spent some time in restoring the discipline of the army which had been greatly neglected, and in training his new levies to the duties and hardships of the service, he directed his march to the enemy's country, and in his way had frequent messages from the king of Numidia, with professions of submission and of a pacific disposition : So much, that when the Roman army entered on the territory of this prince, they found the country every where prepared to receive them in a friendly manner ; the people in tranquillity, the gates of every city left open, and the markets ready to supply them with necessaries.

These appearances, with the known character of Jugurtha, creating distrust, only excited the vigilance of Metellus. They even provoked him to retort on the Numidian his own insidious arts. He accordingly tampered with Bomilcar and the other messengers of Jugurtha to betray their master, and promised them great rewards if they would deliver

* Florus, lib. iii. Liv. lib. lxv.

this offender into the hands of the Romans either living or dead.

Jugurtha, not considering that his own character for falsehood must have destroyed the credit of all his own professions, even if he should at any time think proper to make them sincere, and trusting to the effect of his submissive messages in rendering the enemy secure, made a disposition to profit by any errors they should commit, and hoped to circumvent and destroy them on their march. For this purpose he waited for them on the descents of a high mountain, over which they were to pass in their way to the Muthul, a river which helped to form the situation of which he was to avail himself. He accordingly lay concealed by its banks until the enemy actually fell into the snare he had laid for them. And although the effect was not answerable to his hopes, he maintained, during the greater part of a day, with the advantage of ground and of numbers, a contest with troops who possessed, against his irregulars, a great superiority of order, discipline, and courage; but not having found the Romans, as he expected, in any degree off their guard, he was, in the event of that day's action, obliged to depart with a few horse to a remote or interior part of his kingdom.

This victory obtained over Jugurtha, appeared to be an end of the war. His army was dispersed, and he was left with a few horsemen, who attended his person, to find a place of retreat, or to choose a new station at which to re-assemble his forces, if he meant to continue the war.

The Numidians were inured to action. The frequent wars of that continent, the wild and unsettled state of their own country, made the use of horses and of arms familiar to them : but so void was the nation of military policy, and its people so unaccustomed to any permanent order, that it was scarcely possible for the king to fight two battles with the same army. If victorious, they withdrew with their plunder ; if defeated, they supposed all military obligations at an end ; and in either case, after an action, every one fled where he expected to be soonest in safety, or most at liberty to avail himself of the spoil he had gained.

Metellus, after the late engagement, finding no enemy in the field, was for some time uncertain to what part of the kingdom Jugurtha had directed his flight. But having intelligence that he was in a new situation assembling an army, and likely to form one still more numerous than any he had yet brought into the field, tired of pursuing an enemy on whom defeats had so little effect, he turned away to the richer and more cultivated parts of the kingdom. Here the plunder of the country might better repay his labour, and the king, if he ventured to defend his own territory, might more sensibly feel his defeats. Jugurtha perceiving this intention of the Roman general, drew the forces he had assembled towards the same quarter, and soon appeared in his rear.

While Metellus was endeavouring to force the city of Zama, Jugurtha assaulted his camp, and, though repulsed from thence, took a post, by which

he made the situation of the Romans between the town on one side, and the Numidian army on the other, so uneasy, as to oblige them to raise the siege.

This the Numidian prince thought a proper opportunity to gain some credit to his pacific professions. He made an offer accordingly to surrender at discretion, and actually delivered up great part of his arms and military stores; but this purpose, if ever sincere, he soon retracted, and again had recourse to arms.

U. C. 645.
Servius
Sulpicius
Galba, Q.
Hortensius
Nepos,
Marcus
Aurelius
Staurus.

The victory which had been obtained in Africa flattered the vanity of the Roman people, and procured to Metellus, in the quality of Proconsul, a continuation of his former command. The troops he had posted in Vacca being cut off by the inhabitants, he made hasty marches in the night, surprised the place, and, without having allowed the authors of that outrage more than two days to enjoy the fruits of their perfidy, amply revenged the wrong they had done to the Roman garrison.

But the success of Metellus did not hasten the ruin of Jugurtha so much as his own misconduct, in the jealous and sanguinary measures which he now took to suppress plots and conspiracies either real or supposed to be formed against his life by persons the most in his confidence.

Bomilcar, still carrying in his mind the offers which had been made to him by Metellus, and willing to have some merit with the Romans, into whose hands he and all the subjects of Jugurtha were likely soon to fall, formed a design against his master,

and drew Nabdalsa, a principal officer in the Numidian armies, to take part in the plot. They were discovered in time to prevent the execution of their design, but they made Jugurtha from thenceforward consider the camp of his own army as a place of danger to himself, rendered him distrustful, timorous, and unquiet ; frequently changing his company and his quarters, his guards and his bed. Under these apprehensions, by which his mind was considerably disordered and weakened, he endeavoured, by continual and rapid motions, to make it uncertain where he should be found ; and he experienced at last, that private assassination and breach of faith, although they appear to abridge the toils of ambition, are not expedient even in war ; that they render human life itself, for the advantages of which war is undertaken, no longer eligible or worthy of being preserved. Weary of his anxious state, he ventured once more to face Metellus in the field, and being again defeated, fled to Thala, where he had left his children and the most valuable part of his treasure. This city too, finding Metellus had followed him, he was obliged to abandon, and, with his children and his remaining effects, fled from Numidia, first to the country of the Getuli, barbarous nations that lived among the mountains of Atlas south of Numidia, and whom he endeavoured to arm in his cause. From thence he fled to Bocchus king of Mauritania, whose daughter he had married ; and having persuaded this prince to consider his quarrel with the Romans as the common cause of all monarchies, who were likely in succession to become the prey of this arrogant and in-

satiable power, he prevailed on the king of Mauritania to assemble an army, and to attempt the relief of Numidia.

Jugurtha, in conjunction with his new ally, directed his march to Cirta, and the Roman general perceiving his intention, took post to cover that place. But while he was endeavouring, by threats or persuasions, to detach the king of Mauritania from Jugurtha, he received information from Rome, that he himself was superseded in the command of the army ; and from thenceforward, under pretence of messages and negotiations that were passing between the parties, protracted the war, and possibly inclined to leave it with all its difficulties entire to his successor. His dismission was the more galling to himself, that it was obtained in favour of Caius Marius, who, having served under him in this war, had with great difficulty, and not without some expression of scorn on the part of his general, obtained leave to depart for Rome, where he meant to stand for the Consulship. He accordingly appeared in the capacity of candidate for this honour, and by vaunting, instead of concealing, the obscurity of his birth ; by inveighing against the whole order of Nobility, their dress, their city manners, their Greek learning, their family images, the stress they laid on the virtue of their ancestors to compensate the want of it in themselves, but more especially by arraigning the dilatory conduct of Metellus, and by promising a speedy issue to the war, if it should be intrusted to himself, a promise, to which the force and ability he had shewn in all the stations he had hitherto fill-

ed, procured him much credit ; he so far won upon the people, that, in opposition to the interest of the Nobles, and to the influence of all the leading men of the Senate, he prevailed in the election. His promotion was in a particular manner offensive to Metellus, whose reputation he had attacked, and to whom, by an express order of the people, in contempt of a different arrangement made by the Senate, he was now to succeed.

Upon the nomination of Marius, the party who u. c. 646. had opposed his preferment did not at L. Cassius Longinus, C. Marius. tempt to withhold the reinforcements which he asked for the service in which he was to command. They even hoped to increase his difficulties, by suffering him to augment the military establishment of his province. The wealthier or more respectable class of the people alone were yet admitted into the legions ; and being averse to such distant services, were likely to conceive a dislike to the persons by whom they were dragged from home. Marius, therefore, in making his levies, his opponents supposed, might lose some part of the popular favour which he now enjoyed, and become less formidable to his rivals in the state. But this crafty and daring adventurer, by slighting the laws which excluded the necessitous citizens from serving in the legions, found in this class of the people a numerous and willing recruit. They crowded to his standard, and filled up his army without delay, and even without offence to those of a better condition, who were pleased with the relief they obtained from this part of their public burdens.

This circumstance is quoted as a remarkable and dangerous innovation in the Roman State, and is frequently mentioned among the steps which hastened its ruin. The example, no doubt, with its consequences, may instruct nations to distinguish the military operations required at a distance, from the more important object of preservation and home-defence ; so that in declining the distant service, the more respectable orders of the people may not think it necessary to abandon themselves to depredation at home. In the first ages of Rome, the citizens in political convention were styled the Army of their Country, and such in every age is the army in whose hands the freedom of nations is secure. From the date of these levies at Rome, the sword began to pass from the hands of those who were interested in the preservation of the republic, into the hands of others who were willing to make it a prey. The circumstances of the times were such, indeed, as to give warning of the change. The service of a legionary soldier abroad, was become too severe for those of the people who could live at their ease, and it now opened to the necessitous a principal road to profit as well as honour. Marius, to facilitate his levies, was willing to gratify both ; and thus gave beginning to the formation of armies who were ready to fight for or against the laws of their country, and who, in the sequel, substituted battles in the streets of Rome, for the bloodless contests which, in the early ages of Rome, had arisen from the divisions of party.

The new Consul, unrivalled in the favour of the people, obtained whatever he required ; and, being

completely provided for the service to which he was destined, embarked for Africa, and, with a great reinforcement, in a few days arrived at Utica. Upon his arrival, the operations of the war were resumed, and carried into the wealthiest provinces of Numidia, where he encouraged his army with the hopes of spoil. The new levies, though composed of persons hitherto untrained, and even excluded from the military service, were formed by the example of the legions already in the field, and who were now well apprised of their own superiority to the African armies. Bocchus and Jugurtha, upon the approach of this enemy, thought proper to separate, and took different routes into places of safety in the more difficult and inaccessible parts of the country.

This separation was made at the suggestion of Jugurtha, who alleged, that, upon their appearing to despair, and to discontinue all offensive operations, the Roman general would become more secure, and more open to surprise. But Marius, without abating his vigilance, pressed where the enemy gave way, overran the country, and took possession of the towns they had left. To rival the glory which Metellus had gained in the reduction of Thala, he ventured on a like enterprise, in the face of similar difficulties, by attacking Thapsa, a place surrounded with desarts, and in the midst of a land destitute of water, and of every resource for an army. Having succeeded in this design, he ventured, in his return, to attack another fortress, in which, the place being supposed impregnable, the royal treasures were lodged. This stronghold was placed on a

rock, which was every where, except at one path that was fortified with ramparts and towers, faced with steep and inaccessible cliffs. The garrison permitted the first approaches of the Romans with perfect security, and even derision. After some fruitless attacks, Marius, under some imputation of folly in having made the attempt, was about to desist from the enterprise, when a Ligurian, who had been used to pick snails on the cliffs over which this fortress was situated, found himself, in search of his prey, and by the growing facility of the ascent, led to a height from which he began to have hopes of reaching the summit. He accordingly surmounted all the difficulties in his way ; and the garrison being then intent on the opposite side of the fortress to which the attack was directed, he returned unobserved. This intelligence he carried to Marius, and undertook to be the guide of a detachment of chosen men, with an unusual number of trumpets and instruments of alarm, who were ordered to follow his directions. Marius himself, to divert the attention of the besieged, and, on receiving a signal agreed upon from within, to be ready to make a vigorous and decisive assault, advanced to the walls. The Ligurian proceeded, though with much difficulty, to fulfil the expectations he had given. The soldiers who followed him were obliged to untie their sandals and their helmets, to sling their shields and their swords, and, at difficult parts of the rock, could not be persuaded to advance until their guide had repeatedly passed and repassed in their sight, or had found stumps and points of the stone at which they

could fasten ropes to aid their ascent. The summit was to be gained at last by climbing a tree, which, being rooted in a cliff of the rock, grew up to the edge of the precipice. By the trunk of this tree the whole party passed, and, being as high as its branches could carry them, landed at last on the summit. They instantly sounded their trumpets, and gave a sudden alarm. The besieged, who had been drawn to an opposite part of the walls to resist the enemy who there menaced an attack, were astonished with this sound in their rear, and soon after, greatly terrified with the confused flight from behind them of women, children, and men unarmed, and being at the same time vigorously pressed at their gates, were no longer able to resist, suffered the Romans to force their way at this entrance, and in the end to become masters of the fort.

While Marius was engaged in the siege of this place, he was joined by the Quæstor Sylla, who had been left in Italy to bring up the cavalry, which were not ready to embark at the departure of the Consul. This young man was a Patrician, but of a family which had not, for some generations, borne any of the higher offices of state. He himself partook in the learning which then spread into Italy, from a communication with the Greeks, and had passed the early part of his life in town-dissipation or in literary studies, of which the last, though coming into fashion at this time at Rome, was considered as a species of corruption almost equal to the first. He was yet a novice in war, but having an enterprising genius, soon became an object of re-

spect to the soldiers, and of jealousy to his general, with whom he now laid the foundation of a quarrel still more fatal to the commonwealth than that which had subsisted between the present and preceding commander in this service.

The king of Numidia, stung by the sense of what he had already lost, and expecting no advantage from any further delays, determined, in conjunction with his ally, to make a vigorous effort, and to oblige Marius, who was then moving towards his winter-quarters, yet to hazard a battle for the preservation of what he had acquired in the preceding campaign. The king of Mauritania, upon the late events of the war, had been inclined to return to his neutrality, or to enter on a separate treaty with the Romans; but being promised a third part of the kingdom of Numidia, in case the enemy were expelled from thence, or if the war should be otherwise brought to a happy conclusion, he once more advanced with his army, and joined Jugurtha.

The prosperous state of the Romans, undisturbed for some time by any opposition from an enemy in the field, inspired them with some degree of negligence or security, by which they were exposed to surprise. Near the close of a careless march, and about an hour before the setting of the sun, they found themselves entering among scattered parties, who, without any settled order, increased in their numbers, occupied the fields through which the Romans were to pass, and seemed to intend, by assailing them on every side, to begin the night with a scene of confusion, of which they might afterwards

more effectually avail themselves in the dark. In an action begun under these disadvantages, Jugurtha flattered himself, that the Roman army might be entirely defeated, or, in a country with which they were not acquainted, and in circumstances for which they were not at all prepared, being unable to effect a retreat, be obliged to surrender at discretion.

The king, with his usual intrepidity and conduct, profited by every circumstance which presented itself in his favour. He brought the troops of which his army was composed, whether Getulians or Numidians, horse or foot, to harass the enemy in their different ways of fighting, and wherever they could most easily make their attacks. Where a party was repulsed, he took care to replace it; and sometimes affected to remit his ardour, or to flee with every appearance of panic, in order to tempt the Romans to break from their ranks. Marius, notwithstanding, with great dexterity and presence of mind, maintained the form of his march; and, before night, got possession of some heights on which he could rest with safety. He himself, with the infantry, chose that which had the steepest ascent, and ordered Sylla, with the cavalry, to take his post on a smaller and more accessible eminence below. That his position might not be known to the enemy, he prohibited the lighting of fires, and the usual sounding of trumpets at the different watches of the night. The Numidians had halted on the plain where night overtook them, and were observed, at break of day, reposing in great security, and without any seeming apprehension of danger from an

enemy, who was supposed to be flying, and who, on the preceding day, had, with some difficulty, escaped from their hands. In this situation, Marius resolved to attack them, and gave orders, which were passed through the ranks, that, at a general sound of the trumpets, every man should stand to his arms, and with a great shout, and beating on his shield, make an impetuous assault on the enemy. The design, accordingly, succeeded. The Numidians, who on former occasions had often affected to flee, were driven into an actual rout. Great numbers fell in the flight, and many ensigns and trophies were taken.

After this victory, Marius, with his usual precautions, and though it might be supposed that the enemy were dispersed, without remitting his vigilance, directed his march to the towns on the coast, where he intended to fix his quarters for the winter. Jugurtha, well apprized of his route, proposed again to surprise him before he should reach the end of his journey; and, for this purpose, avoided giving him any premature or unnecessary cause of alarm. He deferred his attack until the Roman army was arrived in the neighbourhood of Cirta, supposed to be the end of their labours, and near to which it was probable they would think themselves secure from any further attempts of their enemy. In the execution of this design, he, with the greatest ability, conducted his troops to the place of action, and there too made every effort of conduct and resolution. But the match being unequal, he was obliged to give up the contest; and, with his sword and his ar-

mour all bathed in blood, and almost alone, is said to have left a field, in which, for the first time, he had taken no precautions for re-assembling an army, and on which his Numidians were accordingly routed, in appearance, to rally no more.

Upon these repeated defeats, Bocchus despaired of the fortunes of Jugurtha, and sent a deputation to Marius, requesting a conference with himself, or with some of his officers. He obtained an interview with Sylla and Manlius; but, upon their arrival, had taken no fixed resolution, and was still kept in suspense, by the persuasion of those of his court who favoured the interest of Jugurtha. Marius, being continued in his command, resumed the operations of the war, and was about to attack the only place which yet remained in the hands of the enemy; when the king of Mauritania, alarmed by this circumstance, took his resolution to sue for peace. He sent a deputation of five chosen persons, first to the quarters of Marius, and, with this general's permission, ordered them to proceed from thence to Rome. These deputies being admitted into the Senate, made offers of friendship in the name of their master; but were informed, in return, that he must give proofs of his friendly disposition to the Romans, before they could rely on his professions, or listen to any terms of peace. When this answer was reported to Bocchus, he was not at a loss to understand that the Romans wished him to deliver up the king of Numidia into their hands; and seems to have conceived the design of purchasing peace, even on

U. C. 647.
C. Attilius
Seranus,
Quintus
Servilius
Cetico.

these terms. Sylla being already personally known to him, he made choice of this officer, as the person with whom he would treat, and desired he might be sent to his quarters. The Roman Quæstor accordingly set out with a small party. On the way he was met by Volux, the son of the king of Mauritania, with a thousand horse : him he considered as of doubtful intention, whether destined to act as a friend or an enemy ; but coming with professions of friendship from the king his father, and with orders to escort the Roman Quæstor, they proceeded together. On the second day after this junction, Volux came in haste to the quarters of Sylla, and informed him, that the advanced party had discovered Jugurtha posted on their route, with numbers through which they might not be able to force their way, and earnestly pressed the Roman officer to endeavour his own escape in the night.

Sylla could no longer disguise his suspicions, and, sensible that he had imprudently, without hostage or other security, ventured too far on the faith of an African prince, proudly refused to alter his march ; desired that the Mauritanian prince, if he thought proper, should depart ; but informing him, at the same time, that the Roman people would know how to avenge so public an insult, and would not fail to punish the perfidy of the King his father. Volux, in return, made strong protestations of innocence ; and as the Roman Quæstor could not be prevailed on to save himself by flight, this prince insisted to remain, and to share in his danger. They accordingly kept on their way, passed in the view of Ju-

gurtha with his party, who, though disposed to offer violence to the Romans, had yet some measures to preserve with the king of Mauritania, whose son was in company ; and thus while, contrary to his usual character, he remained undecided, the prey escaped him, or got out of his reach.

Jugurtha sent persons of confidence immediately to counteract the negotiations of Sylla at the court of Bocchus ; and each of these parties solicited the king of Mauritania to betray the other. The Numidians endeavoured to persuade him, that, with such an hostage as Sylla in his hands, he might still expect some honourable terms from the Romans ; and Sylla, on the other part, represented, that, as the king of Mauritania had offended the Romans, by abetting the crimes of Jugurtha, he must now expiate his guilt by delivering him over to justice. It was the inclination of this prince to favour his Numidian ally ; but it was his interest, as well as his intention, to gain the Romans. While he was still in suspense, he gave equal encouragement to both parties ; and, without being finally determined what he should do, appointed the Roman Quæstor and the King of Numidia to meet him without any escort, or number of men in arms on either side, reserving, for himself, to the last moment, the power of determining against the one or the other. By the time, however, that the parties were met, he had taken his resolution, had placed a body of his own troops in ambush, and, before any conference took place, gave a signal, which his men understood to be for seizing Jugurtha. The Numidians, who attended their

king, were slain ; he himself was put in chains, and delivered up to the Roman Quæstor. Sylla, with the exultation of a successful hunter, received this lion in his toils ; and, though he lived to perform much greater actions, still appears to have valued himself most on the event of this transaction. He boasted so much of his prize, that he became, from that moment, an object of jealousy to Marius, and was considered as a person advancing too fast in the same career of renown *. It was understood among the Romans, that the commander-in-chief, upon any service, in any division or province of the empire, enjoyed the triumph for victories gained, even in his own absence, by his lieutenants, or by those who served under his command ; and Marius probably thought that Sylla took more to himself than was due upon this occasion. The desire of being the person who put the finishing hand to any matter of great public concern, however accomplished, was not peculiar to these officers. It was an effect of the Roman policy in making the rewards of distinction depend so much on events, without regard to the means which were employed to produce them : A circumstance, from which the citizens of this republic were as desirous of having the reputation of successful adventures affixed to their names, as courtiers in modern Europe are desirous of titles, or covet badges of honour and marks of their sovereign's favour.

The war being thus at an end, Marius appointed

* Plutarch. in Mario et in Sylla.

a thanksgiving ; and, while he was offering the customary sacrifices, the news arrived from Rome that the people had dispensed with the law in his favour, and again had elected him Consul for the following year. This choice was determined by the great alarm which the Romans had taken on the approach of the barbarous nations, who, like a meteor, had, for some years, traversed the regions of Europe, and, with uncertain direction, were said to destroy wherever they moved. The Romans had repeatedly stood in their way, and had provoked a resentment, which these barbarians were supposed, in haste, to wreak upon Italy. They were at first heard of under the name only of Cimbri ; but were now known to consist of many nations, under the appellations of Ambones, Tectosagi, and others ; and had gained accessions of force by the junction of the Tigurini, and other Gaulish nations, who, either by choice or compulsion, were made a part in this mighty host, whose movements the Romans considered as now chiefly directed against themselves.

Besides the armies commanded by the Consuls Car.
B.C. 648. Bo and Silanus, which had fallen victims to
P. Rutilius Rufus, Cn. Marius. this barbarous enemy, other considerable bodies, under Scævola and Cassius, had perished by their hands ; and other misfortunes from the same quarter were coming apace. At the time that Marius had finished the war with Jugurtha, Quintus Servius Cæpio, having the former year commanded in Gaul, where he destroyed or pillaged the city of Tolosa, and made a great booty, consisting, according to Justin, of one hundred thousand pounds

weight of gold, and one million five hundred thousand pounds weight of silver, was now, in his turn, to meet with this torrent of wandering nations ; the Consul Mallius or Manilius had orders to join him ; and all the troops they could assemble were but too few to withstand such an enemy. These generals united their forces on the Rhône, but without a proper disposition to act in concert ; they were accordingly defeated in battle ; eighty thousand Romans, amongst whom were the two sons of the Consul Manilius, were killed in the action ; forty thousand attendants of the army were massacred in cold blood. Both camps were taken.

After this victory, the lords of the Cimbri, being assembled in council, called before them Aurelius Scaurus, formerly a Roman Consul, lately second in command over one of their vanquished armies, and now a prisoner. They questioned him with respect to the forces in Italy, and the route to be taken across the Alps : To these questions he made answer, That it would be in vain for them to invade that country : that the Romans, on their own territory, were invincible. And, in return to these words, it is said, that a barbarian struck the prisoner with his dagger to the heart. It is further said of this barbarous council, that they came to a resolution to spare no prisoners, to destroy the spoils of the slain, to cast all the treasures of gold and silver into the nearest river, to destroy all horses with their saddles and furniture, and to save no booty whatever. It must be confessed, that in this, their resolutions were guided by a policy well accommodated to the

manner of life they had chosen. Wealthy possessions frequently disqualify even settled nations for the toils of war, but to hordes in continual migration, the accommodations of luxury and sloth would be certain impediments, and the means of ruin *.

These accounts of impending enemies, and of the disasters which befell the Roman armies which ventured to encounter them, were received at Rome with amazement and terror. The citizens changed their dress, and assumed the military habit. Rutilius, the Consul, who had remained in the administration of affairs in Italy, had instructions from the Senate to array every person that was fit to bear arms. No one who had attained the military age was exempted. It is mentioned, that the son of the Consul himself was turned into the ranks of a legion. There was little time to train such levies ; and the usual way was thought insufficient. The fencing-masters, employed to train gladiators for the public shews, were brought forth, and distributed to instruct the citizens in the use of their weapons †. But the expedient, on which the people chiefly relied for deliverance from the dangers which threatened them, was the repeated nomination of Marius to command against this terrible enemy.

This officer, upon hearing of his re-election, set out for Italy, and, with his legions and their captives, made his entrance at Rome in triumph ; a spectacle, of which Jugurtha, in chains, with his unfortunate children, were the principal figures. When the procession was over, the captive king was led to a dun-

* Orosius, lib. v, c. 16. Eutrop. lib. v.

† Valer. Max. lib. ii, c. 3.

geon, under orders for his immediate execution. As he was about to be stripped of his ornaments and robes, the executioner, in haste to pluck the pendants from his ears, tore away the flesh, and thrust him naked into a circular aperture into which he descended with a smile, saying, “ What a cold bath “ is here ! ” He pined about six days under ground, and expired. A king and an able commander would, in such a situation, have been an object of pity, if we did not recollect that he was the murderer of Adherbal and Hiempsal, the innocent children of his benefactor ; and if we did not receive some consolation from being told, that his own children, who were likewise innocent, were exempted from the lot of their father, and honourably entertained in Italy.

Marius, in his triumph, is said to have brought into the treasury three thousand and seven pounds, or thirty thousand and seventy ounces of gold, and fifty-seven thousand seven hundred and fifty ounces of silver ; and in money, two hundred and eighty-seven thousand denarii *. He entered the Senate, contrary to custom, in his triumphal robes, probably to insult the nobles, who used to despise him as a person of obscure extraction, born in a country town, and of a mean family ; but finding that this was considered as an act of petulance, and generally condemned, he withdrew and changed his dress.

The kingdom of Numidia was dismembered ; part was put into the possession of Bocchus as a reward for his late services ; and part reserved for the surviving heirs of Massinissa.

* About L. 10,000.

*U. C. 642.
Consuls,
C. Marius
2do. C.
Marius
Fimbria.*

As the law respecting the Consulate now stood, no one could be elected in absence, nor re-elected into this office till after an interval of ten years. Both clauses were dispensed with in favour of Marius, under pretence of continuing him at the head of the army; but as he might still have remained in his station, and have rendered the same services to the State in the quality of Proconsul, his re-election may be ascribed to his own ambition, and to his jealousy of other rising men in the State. Being reputed head of the popular party, his personal elevation was an object of zeal to the Tribunes of the people, and was intended to mortify those who affected the distinctions of ancient family. Contrary to the usual form, and without casting lots for the assignation of his province, he was preferred to his colleague in the appointment to command in Gaul. Having his choice of all the armies at that time in Italy, he took the new levies, lately assembled and disciplined by Rutilius, in preference to the veterans, who had served in Africa under Metellus and himself. It is probable that he was determined in this choice, more by his desire to gratify the veterans, who wished to be discharged, in order to enjoy the fruits of their labours, than by the consideration of any supposed superiority in the discipline to which the new levies had been trained *.

Upon the arrival of Marius in the province, it appeared, that the alarm taken for the safety of Italy

* Frontinus de Stragmat. lib. iv, c. 6.

was somewhat premature. The Barbarians in their battles only meant to maintain the reputation of their valour, or to keep open the tract of their migrations. They had found the lands from about the higher parts of the Danube and the Rhine, through Gaul and across the Pyrenees into Spain and to the Ocean, convenient for their purpose, and sufficiently extensive. They had not yet meditated any war with the Romans, or other nation in particular ; but did not decline any contest where they met with resistance. At present they continued their migrations to the westward, without attempting to cross the Alps, or seeming to have knowledge of nations who inhabited the peninsula of Italy within those mountains.

We have nothing recorded in history concerning the movements of these wandering hordes, during the two subsequent years, except what is related of their adventure with Fulvius, a Roman Praetor, probably in Spain, who, in return for hostilities committed in his province, having made a feint to draw the attention of their warriors elsewhere, surprised and sacked their camp. Under the apprehension, however, of their return towards Gaul and Italy, Marius continued to be elected Consul, and was repeatedly named to the command of the army that was destined to oppose them. His party at Rome had, at this time, besides the exigency which justified their choice of such a leader, many other advantages against their antagonists, and maintained the usual contest of envy in the lower people against the pride of nobility with great animosity and zeal.

CHAP. XII.

Review of the circumstances which revived the popular party at Rome.—Further accounts of laws and regulations under the administration of this party.—State of the empire.—Fourth consulate of Marius.—Continued migrations of the barbarous nations.—Defeated by Marius at Aquæ Sextiæ.—By Marius and Catulus in Italy.

THE Senate had, for some time after the suppression of the troubles which were raised by Fulvius and the younger Gracchus, retained its authority, and restrained the Tribunes of the people within ordinary bounds ; but by the miscarriages of the war in Numidia, and the suspicions which arose against them, on the subject of their transactions with Jugurtha, they again lost their advantage. It is difficult to ascertain the real grounds of these suspicions. Sallust seems to admit them in their utmost extent, and represents the whole order of nobility as mercenary traders, disposed to sell what the republic intrusted to their honour. That the presents of Jugurtha were sometimes accepted, and had their effect, is not to be doubted ; but that the aristocracy of Rome, during its temporary ascendant, was so much corrupted, as the relation of this historian implies, is scarcely to be credited. Such a measure

of corruption must have rendered the State a prey to every rival that was in condition to mislead its councils, and is not consistent with that superiority which the Romans then generally possessed in their negotiations, as well as in their wars. The charge itself savours too much of that envy with which the lower class of the people at all times interpret the conduct of their superiors, and which at the time when Sallust wrote his history, was greatly countenanced by the partisans of Cæsar, in order to vilify and traduce the Senate. We cannot, however, oppose mere conjecture to the positive testimony of Sallust, corroborated by some suspicious circumstances in the transactions of the times. Among these we may recollect the patronage which Jugurtha met with at Rome, contrary to the general sense of the people, and the uncommon presumption of guilt implied in the degradation of so many members as were about the same time, by the authority of the Censors, Q. Cæcilius Metellus and Cn. Domitius Ahenobarbus *, expelled from the Senate.

Whatever may have been the real occasion of the cry then subsisting against the Nobles, we have seen that the popular party, availing themselves of it, and giving it all manner of countenance, found means to recover great part of the power they had formerly lost. The Tribunes, having obtained the establishment of a special commission for the trial of those who had received any bribes from Jugurtha,

* It is already mentioned, that thirty-two Senators were struck off the rolls by these magistrates. Epitom. Liv. lib. 62.

the people mistook their own act in constituting a court of inquiry, as sufficient to evince the reality of the crime. The prosecutions which continued to be carried on for two years, upon this supposition, served more than the subject of any former dispute to exasperate and to alienate the minds of men from each other, and from the public. Questions were more of a private than of a public nature, and occupied the worst of the human passions, envy, malice, and revenge. One party learned to cherish falsehood, subornation, and perjury ; the other lived in continual and degrading fear of having such engines employed against themselves.

The people, in their zeal to attack the Nobility under any pretence, made no distinction between errors and crimes ; and, contrary to the noble spirit of their ancestors, treated misfortune, incapacity, and treachery with equal rigour. One Tribune had extended the use of the secret ballot in giving judgment on certain offences or misdemeanors * ; another, upon this occasion, took away all distinctions, or introduced the same cover of secrecy in the trial of capital crimes † : insomuch, that a judge draughted from among the parties then at variance, could, without being accountable, indulge his malice or partial favour, so as to affect the life as well as the honour of a fellow citizen ‡, to whom he bore any spite.

* Lex Cassia Tabellaria.

† Lex Cælia Tabellaria.

‡ Cicer. de Legibus, lib. iii.

Laws were made to promote the interest, as well as to gratify the animosity, of the lower people. By the Agrarian law of Gracchus, no one could possess above a certain measure in land; but in order to render the surplus of property to be surrendered immediately useful to the people, it was permitted, by an amendment of the law made during the low state of the aristocratical party, that persons holding more than the legal measure might retain their possession, but subject to a rent to be collected for the benefit of the poorer citizens; and thus it was provided, that without discontinuing the practice of faction, or removing into what was considered as a species of exile in the country, the favourites of the party should be accommodated, and reap the fruits of sedition and idleness, while they continued to pursue the same course of life in the city *.

It was proposed, by the Consul Servilius Cæpio, B.C. 647. Lex Servilia de Ju- that the Senate, whose members were personally so much exposed to prosecutions, dictria. should have their share likewise in composing the courts of justice, a privilege of which, by the edict of Gracchus, they had been deprived †. In whatever degree this proposal was adopted, it was again expressly rejected upon the motion of Servilius Glaucus. And Cæpio soon after experienced, in his own person, the animosity of the popular faction: Being tried for miscarriage in his battle with the Cimbri, he was condemned by the judges, and afterwards, by a separate act obtained by Cassius,

* Appian. de Bell. Civ. lib. i.

† Valer. Max. lib. v, c. 9.

the people mistook their own act in constituting a court of inquiry, as sufficient to evince the reality of the crime. The prosecutions which continued to be carried on for two years, upon this supposition, served more than the subject of any former dispute to exasperate and to alienate the minds of men from each other, and from the public. Questions were more of a private than of a public nature, and occupied the worst of the human passions, envy, malice, and revenge. One party learned to cherish falsehood, subornation, and perjury ; the other lived in continual and degrading fear of having such engines employed against themselves.

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† Valer. Max. lib. v, c. 9.

one of the Tribunes, declared, in consequence of that sentence, disqualified to hold a place in the Senate *.

Besides the transactions already mentioned, the following particulars, overlooked in the hurry of recording military operations and events, may serve still further to characterize the times. M. Junius Silanus was tried for misconduct against the enemy; M. Emilius Scaurus, first on the roll of the Senate, was brought to trial for contempt of religion; but both acquitted. The ardour for these prosecutions and popular regulations, continued without abatement, until the second Consulate of Marius, when M. Marcius Philippus, one of the Tribunes, moved to revive the law of Tiberius Gracchus respecting the division of estates in land, which, from this circumstance, should appear had never been executed; and, in his speech to support this motion, affirmed, that there were not then two thousand families in Rome possessed of any property in land whatever †. This motion, however, was withdrawn.

Among the crimes which the populace were now so eager to punish, fortunately that of peculation or extortion in the provinces was one. To facilitate complaints on this subject, not only persons having an immediate interest in the case, but all to whom any money or effects injuriously taken might have otherwise come by inheritance, were entitled to prosecute for this offence: and any alien, who convict-

* Asconius Pedianus in Corneliana Ciceronis.

† Cicero de Officiis, lib. ii.

ed a Roman citizen of this crime, so as to have him struck off the rolls of the people, was entitled himself to be enrolled instead of the citizen displaced *.

Domitius, one of the Tribunes, attacked the aristocratical constitution even of the priesthood, and endeavoured to transfer the right of election to vacant places from the order itself to the people ; but superstition, which often continues to influence the bulk of mankind after reason has failed, here stood in his way. The custom was against him ; and in such matters, religion and custom are the same. The people, therefore, it was confessed by the mo-

*Lex Domitia de Sa-
cerdotiis.* ver of this reform, could not without pro-
fanation pretend to elect a priest ; but a

certain part of the people might judge of the candidates, and instruct the college itself in the choice to be made †. The same artifice, or verbal evasion, had been already admitted in the form of electing the Pontifex Maximus, presented to the order, not by the people at large, but by seventeen of the Tribes who were drawn by lot ‡.

During this period, a charge of depravity, worse than that which was brought against those who were employed in the State, might with equal justice be directed against those who were loudest in raising the cry of corruption ; for liberty on the part of the populace, was conceived to imply a freedom from every restraint, and to justify licence and contempt of the laws. The gratuitous aids which were given

* Cicero in Balbiana.

+ Asconius in Corneliana Ciceronia.

‡ Cicero de Lege Agraria.

his time were obliged to make up, in the cookery of their vegetable diet, what was defective in that species of food.

About the time of the commencement of the Numidian war, the people, according to the Census, amounted to four hundred and three thousand four hundred and thirty-six citizens, fit to carry arms. At this time it was that the Censors, Quintus Cæcius Metellus, and Cn. Domitius Ahenobarbus, as already mentioned, expelled thirty-two members from the Senate.

While the Romans were intent on the war which subsisted in Africa, they were not exempted from like trouble in other parts of their empire. In Spain particularly, hostilities at intervals were still renewed. There, in trying to quell a revolt of the natives, a Roman Praetor was killed; in another encounter, the forces employed against the natives were cut off; and a fresh army was transported from Italy, to secure the Roman possessions.

Hostilities were likewise continued on the frontier of Macedonia, by the Scordisci, Triballi, and other Thracian nations; and the Proconsul Rufus, by his victories in this quarter, obtained a triumph.

During this period, in the Consulship of Attilius Serranus, and Q. Servilius Cæpio, the year after the first Consulship of Marius, were born two illustrious citizens, M. Tullius Cicero, and Cneius Pompeius Strabo, afterwards distinguished by the appellation of Pompey the Great. And with the mention of these names we are now to open the scene in which persons, on whom the fate of the Roman empire

was to depend, made their several entries into life, or into public business, and in which they began to pass through an infancy or a youth of danger, to an old age of extreme trouble, which closed with the subversion of that constitution of government under which they were born.

Marius having, without any memorable event,
u. c. 650. passed the year of his second Consulship,
Caius Marius 3rd Consul. on the frontier of Narbonne Gaul, was, by
I. Aurelius Orestes. the people, still under the same apprehension of the Cimbric invasion, re-elected, and destined to remain in his station. This year, likewise, the Barbarians turned aside from the Roman province, and left the republic at leisure to contend with enemies of less consideration, who appeared in a different quarter. Athenio, a slave in Sicily, having murdered his master, and broken open the prisons or walled inclosures in which slaves were commonly confined at work, assembled a number together, and being himself clothed in a purple robe, with a crown and sceptre, affected a species of royalty, while he invited all the slaves of the island to assume their freedom under his protection. He acquired strength sufficient to cope with Servilius Casca, the Roman Praetor, and actually forced him in his camp. He likewise defeated the succeeding Praetor, Licinius Lucullus * ; and was, in the third year of his insurrection, with great difficulty, reduced by the Consul Aquilius. This revolt was at its height in this year of the third Consulship of Ma-

* Florus, lib. iii, c. 19.

rius, and the rebels being surrounded in their strong-holds, and obliged to surrender for want of provisions, it was quelled in the second year after this Consulship *. The whole is mentioned now, that it may not recur hereafter to interrupt the series of matters more important.

About the same time the Romans had been obliged to equip a naval armament under Marcus Antonius, known by the appellation of the Orator, against the Cilician pirates, who had lately infested the seas. All that we know of this service is, in general, that it was performed with ability and success †.

From Macedonia, Calpurnius Piso reported, that the victory he had gained over the Thracians had enabled him to penetrate to the mountains of Rhodope and Caucasus.

Such was the state of the empire when Caius Marius arrived from his province in Gaul, to preside at a new election of Consuls. He was himself again, by the voice of the people, called upon to resume his trust ; but he affected, with an appearance of modesty, to decline the honour. His partisans were apprised of the part he was to act, and were accordingly prepared, by their importunities, to force him into an office which he certainly did not mean to decline. Among these, Apuleius Saturninus, at this time himself candidate for the office of Tribune, charged Marius with treachery to his country in proposing to desert the republic in times of so much

* Florus, lib. iv, c. 19.

† Ibid. lib. iii, c. 6. Cicero de Orator. lib. i.

danger ; and with his reproaches seemed to prevail so far as to render this favourite of the people passive to the will of his fellow-citizens, who wished to reinstate * him in his former command.

U. C. 651.
Caius Marius 4to, L.
Lutatius
Catulus. In this fourth Consulate, the courage and military skill of Marius came to be actually exerted in his province. The barbarous nations, after their return from Spain, began to appear in separate bodies, each forming a numerous and formidable army. In one division the Cimbri and Tectosages had passed through the whole length of Gaul to the Rhine ; from thence proceeded by the Danube to Noricum or Austria, and, by the passes of Carinthia, or by the valley of Trent, might have an easy access to Italy. The Consul Lutatius Catulus was stationed on the Athesis, near the descent † of the Alps, to observe the motions of this body.

In another division, the Ambrones and the Teutones, between the Garonne and the Rhône, hung on the frontier of the Roman province, and gave out, that they meant, by another route of the mountains, to join their allies who were expected on the Po.

Upon the approach of this formidable enemy in the division to which he was opposed, Marius took post on the Rhône at the confluence of this river with the Isere, and fortified his camp in the most effectual manner. The Barbarians, reproaching him with cowardice for having taken these precautions,

* Plutarch. in Mario.

† Now the Adig6.

sent, agreeably to their own notions of war, a formal challenge to meet them in battle ; and having had for answer, That the Romans did not consult their enemies to know when it was proper to fight, they were confirmed in their usual contempt, ventured to leave the Roman army behind, and proceeded in separate divisions to look out for a passage into Italy. Marius followed ; with rapid marches, overtook them in their progress, and even dispersed over the country, without precaution or order ; some of them near to the Roman colony of Sextius*, and far removed from each other. Having found them under such disadvantage, and in such condition as exposed them to slaughter, with scarcely any means of resistance, he put the greater part to the sword. Thus, one part of the hordes, who had for years been so formidable to the Romans, were now entirely cut off. Ninety thousand prisoners, with Teutobochus, one of their kings, were taken, and two hundred thousand were said to be slain in the field† ; accounts which, with some others relating to this war, we may suspect to be exaggerated.

The news of this victory arriving at Rome, while it was known that a second swarm of the same hive, not less formidable than the first, still hung on the approaches to Italy, it was not to be doubted that the command and office of Consul would still be continued to Marius. The populace, incited by

* Now Aix, in Provence.

† Plutarch. in Mario. Orosius, lib. v, c. 16. Florus, lib. iii, c. 5. Vel-
leius, Eutropius.

ed a Roman citizen of this crime, so as to have him struck off the rolls of the people, was entitled himself to be enrolled instead of the citizen displaced *.

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Lex Domitia de Sacrae Cerdotii. ver of this reform, could not without profanation pretend to elect a priest ; but a

certain part of the people might judge of the candidates, and instruct the college itself in the choice to be made †. The same artifice, or verbal evasion, had been already admitted in the form of electing the Pontifex Maximus, presented to the order, not by the people at large, but by seventeen of the Tribes who were drawn by lot ‡.

During this period, a charge of depravity, worse than that which was brought against those who were employed in the State, might with equal justice be directed against those who were loudest in raising the cry of corruption ; for liberty on the part of the populace, was conceived to imply a freedom from every restraint, and to justify licence and contempt of the laws. The gratuitous aids which were given

* Cicero in Balbiana.

+ Asconius in Corneliana Ciceronia.

‡ Cicero de Legge Agraria.

ed him out as the fittest person to combat the other, which was still expected from the banks of the Danube, to attempt the invasion of Italy. Catulus, the late colleague of Marius, commanding the troops that were stationed on the Athesis, to cover the access to Italy from what is now called the Tyrol and the valley of Trent, was destined to act in subordination to the Consul, who had given orders to hasten the passage of his victorious army from the other extremity of the Alps and the Rhône.

Catulus had taken post near Verona, thrown a bridge over the Athesis, and, in order to command the passage of that river, had fortified stations on both its banks. While he was in this posture, and before the junction of Marius, the enemy arrived in his neighbourhood. The amazing works which they performed might serve to confirm the report of their numbers. They obstructed with mounds of timber and earth the channel of the Athesis, so as to force it to change its course ; and by this means, instead of themselves passing the river, they threw it behind them in their march. They continued to float such quantities of wood towards the bridge which Catulus had constructed, that the stream being obstructed, the bridge itself, unable to sustain such a pressure, with all the timber which was accumulated before it, was entirely carried off. The troops of Rome, on seeing such proofs of the numbers and strength of their enemy, were seized with a panic. Many deserted their colours, some fled even to the city itself, without halting. The Proconsul, to hide his disgrace, thought proper to order a retreat ; and

by this order, seeming to authorise what he could not prevent, endeavoured to save in part the credit of his army.

The level country on the Po was in this manner laid open to the incursions of the Barbarians. The inhabitants of Italy were greatly alarmed : and the Roman people passed an act of attainder against all those who had abandoned their colours. Marius, who had been at Rome while he expected the arrival of his army from Gaul, suspended the triumph which had been decreed to himself by the Senate, now went to receive the legions on their approach, and hastened to rally and to reinforce the army of Catulus.

Upon their junction, those who had lately fled from the plains of Verona recovered their courage, and the generals determined, without loss of time, to hazard a battle. It is said that the Barbarians of this division were still ignorant of the disaster which had befallen their confederates on the other side of the Alps, and had sent the Roman army a defiance or a challenge to fight ; but that, being informed of their loss when they were about to engage, they made their attack with less than their usual ferocity or confidence. Catulus received them in front. Marius made a movement to assail them in flank ; but as the field was darkened by the clouds of dust which every where rose from the plain, he missed his way, or could not fall in with the enemy till after they had been repulsed by Catulus, and were already put to flight. The route, as usual, was extremely bloody ; an hundred and fifty thousand were

said to be slain ; sixty thousand submitted to be taken. The remainder of this mighty host, even the women and children, perished by their own hands ; and in this manner, a race of barbarous nations, who had migrated through Europe, perhaps for ages before they encountered with the Romans, now appear to have been entirely cut off *.

On receiving the news of this victory at Rome, the city resounded with joy, and the people, in every sacrifice they offered up, addressed themselves to Marius as to a god. He had been constantly attended in this war by Sylla, who, though already an object of his jealousy, still chose to neglect the preferments of the city, and to serve in the camp. In the victory, now to be celebrated, Marius was no more than partner with Catulus, and, impatient as he will soon appear of any competition for power, did justice to his colleague in this particular, admitting him equally to partake in the triumph which ensued. In this procession there were not any carriages loaded with gold, silver, or precious spoils of any sort ; but, instead of them, the shattered armour and broken swords of a ferocious enemy ; the surer marks of an honour justly won, and of a more important service performed. These were transported in waggon-loads, and piled up in the Capitol.

* Plutarch, in *Mario et Sylla*. Orosius, lib. v, c. 16. Florus, lib. iii, c. 3, Velleius. Eutrop. Appian, in *Celtica*.

CHAP. XIII.

Character and immoderate ambition of Marius.—Death of Norius.—Re-election of the Tribune Saturninus.—His seditions and seizing the Capitol.—Death of Saturninus.—Reverse in the state of parties.—Recall of Metellus.—Violent death of the Tribune Furius.—Birth of Caius Julius Caesar.—Lex Cæcilia Didia.—Blank in the Roman history.—Sylla offers himself candidate for the office of Praetor.—Edict of the Censors against the Latin rhetoricians.—Bullion in the Roman treasury.—Present of a group in golden figures from the king of Mauritania.—Acts of Licius Drusus.—Revolt of the Italian allies.—Policy of the Romans in yielding to the necessity of their affairs.—The laws of Plautius.

UPON the extinction of the wandering nations which had now for some time molested the empire, there was no foreign enemy to endanger the peace of Italy. The wars in Thrace and in Spain had no effect beyond the provinces in which they subsisted. The insurrection of the slaves in Sicily, by the good conduct of Aquilius the Consul, to whom that service had been committed, was near being quelled.

Marius, being now returned to the city, might have quitted the paths of ambition with uncommon distinction and honour. An ordinary Consulate, after his having been so often called upon, in times of extreme danger, as the person most likely to save

his country, could make no addition to his glory. His being set aside in times of security and leisure, on the contrary, must have been the most honourable and flattering comment that could have been made on his former elections.

But there is reason to believe, that immoderate thirst of power, and extreme animosity to his rivals, not genuine elevation of mind, were the characteristics of Marius. His ambition had hitherto passed for an aversion to aristocratical usurpations. But his affected and furious contempt of family distinctions, too often the offspring of sensibility to the want of such honours, by clashing with the established subordination of ranks in his country, became a source of disaffection to the State itself. He formed views upon the Consulate yet a sixth time ; and instead of the moderation, or the satiety of honours with which he formerly pretended to be actuated, when he hoped to be pressed into office, he now openly employed all his influence, even his money, to procure a re-election ; and in the event prevailed, together with Valerius Flaccus. He had warmly espoused the interest of this candidate against Metellus, from animosity to the competitor, whose great authority, placed in opposition to himself, he dread-

U. C. 653. Caius Marius 6to, L. Val. Flaccus. ed, more than from any regard or predilection for Flaccus. And now being chosen, in order the more to strengthen himself in the exercise of his power, he entered into concert with the Tribune Apuleius Saturninus, and, it is probable, agreed to support this factious demagogue in his pretensions to remain in office for ano-

ther year ; a precedent which had taken place only in the most factious times of the republic, and which was in itself more dangerous than any other re-election whatever. The person of the Tribune being sacred, his will was absolute ; there was no check to his power besides the fear of being called to account at the expiration of his term ; and if this fear were removed by the perpetuity of office, it was a power yet more formidable than that of the Dictator, and to be restrained only by the divisions which might arise among those who were joined together in the exercise of it.

The faction now formed by Marius and the Tribune Saturninus, with their adherents, was farther strengthened by the accession of the Praetor Glau-cia. This person, while in office, and as he sat in judgment, had received an affront from Saturninus, in having his chair of state broken down for presuming to occupy any part in the attention of the people while an assembly called by the Tribune was met. He nevertheless chose to overlook this insult, in order to be admitted a partner in the consideration and power which was likely to devolve on these popular leaders.

Upon the approach of the tribunitian elections, the Senate and Nobles exerted themselves to prevent the re-election of Saturninus ; and nine of the new candidates were, without any question, declared to be duly elected in preference to him. The tenth place too was actually filled by the election of Nonius Sufenas, whom the aristocracy had supported with all its influence. But the party of Apuleius,

enraged at their disappointment, had recourse to violence, forced Nonius, though already vested with the sacred character of Tribune, to take refuge in a work-shop, from whence he was dragged by some of the late soldiery attached to Marius, and slain. The assembly broke up with the cry of murder, and every sober person, though reputed of the popular party, retired from the scene under the strongest impressions of affliction and terror.

Marius had reason to apprehend some violent resolution from the Senate, and was in no haste to assemble that body. Meantime his associate Glaucia, in the night, at the head of a party armed with daggers, took possession of the Capitol and place of assembly, and, at an early hour in the morning, pretending to observe all the forms of election, announced Apuleius again Tribune, in the place that was vacated by the murder of Nonius. This furious demagogue was accordingly reinstated in the sacred character, which, though recently violated by himself, was still revered by the bulk of the people. He was continually attended by a new set of men who infested the streets, freemen of desperate fortune, whom Marius, contrary to the established forms of the constitution, had admitted into the legions. These were grown fierce and insolent, as partners in the victories of their general, and were now made to expect that, in case the popular party should prevail, they themselves were to have comfortable settlements, and estates in land.

Under the dread of so many assassins, who considered the Nobles as enemies to their cause, Marius

with his faction was become master of the commonwealth. The better sort of the people was deterred from frequenting the public assemblies, and no one had courage to propose, that any inquiry should be made into the death of the Tribune Nonius, in whose person the sacred law had been again set at nought *.

Apuleius hastened to gratify his party by moving *Lex Agraria*. popular acts. One to seize, in name of the public, those lands beyond the Po, which had lately been overrun and desolated by the barbarous nations, and to distribute them in lots to the poorer citizens †.

Another, by which it was enacted, that in the province of Africa a hundred jugera a man should be distributed to the veterans ‡: that new settlements should be made in Greece, Macedonia, and Sicily; and that the money taken from the temple at Tolosa § should be employed in the purchase of lands for a like purpose: that wherever these colonies should be planted, Marius should have a power to inscribe, at each of the settlements, the names of any three aliens into the list of citizen ||: *Lex Fru-mentaria*. That the price, hitherto paid at the public granaries, should be discontinued, and that corn should be distributed gratis to the people.

Upon the intention to obtain the last of those laws being known, Q. Servilius Cæpio, one of the Quæ-

* Appian. de Bell. Civil. lib. i. Plutarch. in Mario, lib. lxix. Valer. Max. lib. ix, c. 7. Orosius, lib. v, c. 57. Florus, lib. iii, c. 16.

† Appian. de Bell. Civil. lib. i. ‡ Aut. de Viris Illustribus in Saturnino.
§ Now Thoulouse. || Aut. de Viris Illustribus in Saturnino.

tors, represented, that if such a law should pass, there would be an end to industry, good order and government in the city; and that the treasury of Rome would not be sufficient to defray the expense. He exhorted the Senate to employ every measure to defeat this ruinous project. And this body accordingly made a resolution, that whoever attempted to obtain the law in question should be deemed an enemy to his country. But Apuleius was not to be restrained by the terrors of this resolution. He proceeded to propose the law in the usual form, and had planted the rails and balloting urns for the people to give their votes, when Cæpio, with a body of his attendants, had the courage to attack the Tribune, broke down the steps, and overset the balloting urns; an action for which he was afterwards impeached upon an accusation of treason, but by which, for the present, he disappointed the designs of the faction *.

Apuleius, to extend the power of the popular assemblies, and to remove every obstruction from his own designs, brought forward a number of new regulations. One to confirm a former statute, by which the acts of the Tribes were declared to have the force of laws. Another, declaring it to be treason for any person to interrupt a Tribune in putting a question to the people. A third, obliging the Senate to confirm every act of the Tribes within five days after such act had passed, and requiring every Senator, under pain of a fine, and of being struck

* Aut. Rheticorum ad Herennium.

off the rolls, to take an oath to abide by these regulations. While these motions were under debate, some one of the party who opposed them, in order to stop the career of this factious Tribune, observed that it thundered; a circumstance which, upon the ordinary maxims of the Roman Augurs, was sufficient to suspend any business in which the people were engaged, and to break up their assembly. "If you be not silent," said Apuleius to the person who observed that it thundered, "you will also find that it hails." The assembly accordingly, without being deterred by this interposition of the auspices, passed acts to the several purposes now mentioned. The power of the Senate was thus entirely suppressed, their part of the legislature being reduced to a mere form, and even this form they were not at liberty to withhold. Marius called them together, and proposed that they should consider what resolution they were to take with respect to a change of so much importance, and particularly with respect to the oath which was to be exacted from the Senators, binding or obliging themselves to abide by the regulations now made. The old warrior is said, on this occasion, to have practised an artifice by which he imposed on many of those who were present, and which afterwards furnished him with a pretence for removing his enemy Metellus from the councils of state. He declared himself with great warmth against taking the oath, and by his example led other Senators to express their dislike. Metellus, in particular, assured the assembly, that it was his own resolution never to come under any such engagement.

While the Senators relied on the concurrence of Marius in refusing the oath, the time appointed for administering it nearly approached ; and this Consul, after the third day was far spent, assembled the Senate, set forth the dangerous state of the commonwealth ; at the same time expressed his own fears of the disturbances that might arise if the Senate refused to gratify the people in this matter, and, while multitudes were assembled in the streets to know the issue of their councils, he required that the oath should be administered. He himself took it, to the astonishment of the Senate, and to the joy of the populace, who, being assembled by Apuleius, sounded applause through the streets. Metellus alone, of all who were present, refused to comply, and withheld all the entreaties of his friends, who represented the danger with which he was threatened. “ *If it were always safe to do right,*” he said, “ *who would ever do wrong ? But good men are distinguished, by choosing to do right even when it is least for their safety to do so.*”

On the following day the Tribune Saturninus entered the Senate, and, not being stopped by the negative of any of his own colleagues, the only power that could restrain him, dragged Metellus from his place, and proffered an act of attainder and banishment against him, for having refused the oath which was enjoined by the people. Many of the most respectable citizens offered their aid to defend this illustrious Senator by force, but he himself declined being the subject of any civil commotion, and went into exile.

While the act, which afterwards passed for his banishment, was preparing, he was heard to say, “ If “ the times should mend, I shall recover my station ; “ if not, it is good to be absent from hence.” He fixed his abode at Smyrna, conducted his retirement with great dignity during his exile, and probably felt as he ought, that any censure inflicted by men of a vile or profligate character, whatever title they assumed, whether of Nobles or People, or of the State itself, was an honour.

In these transactions elapsed the second year, in which Apuleius filled the office of Tribune ; and, being favoured by a supineness of the opposite party contracted in a seeming despair of the republic, he prevailed yet a third time in being vested with this formidable power. To court the favour of the people, he affected to credit what was alleged concerning the birth of Equitius ; and, under the name of Caius Gracchus, son of Tiberius, had this impostor associated with himself in the office of Tribune. The name of Gracchus, in this situation, awakened the memory of former hopes and of former resentments. The popular party had destined Glaucia for the Consulate, and appear to have left Marius out of their councils. This will perhaps account for the conduct with which he concluded his administration in the present year.

At the election which followed, the interest of the Nobles was exerted for Marcus Antonius and C. Memmius. The first was declared Consul, and the second was likely to prevail over Glaucia ; when, in the midst of the crowds that were assembled to vote, a sudden tumult arose ; Memmius was beset

and murdered ; and the greater part of the people, alarmed at so strange an outrage, were seized with a panic, and fled.

In the night, it being known that Glaucia, Saturninus, and the Questor Saufeius, were together in secret conference, all the citizens who yet retained any regard for the commonwealth assembled, in dread of what so desperate a faction might attempt. All the voices were united against Saturninus, the supposed author of so many disorders and murders. It was proposed, without delay, to seize his person, either living or dead ; but being put upon his guard, by the appearance of a storm so likely to break on his head, he thought proper, with the other leaders of his party and their retainers in arms, to seize the Capitol, there to secure themselves, and to overawe the assembly of the people. It was no longer to be doubted that the republic was in a state of war. Marius, who had fomented these troubles from aversion to the Nobles, would have reigned undetermined what part he should act. But the Senate being met, gave the usual charge to himself and his colleague to avert the danger with which the republic was threatened ; and both these officers, however much they were disposed to favour the sedition, being in this manner armed with the sword of the commonwealth, were obliged to employ it in support of the public authority. The Senators, the Knights, and all the citizens of rank, repaired in arms to their standard. Antonius, Consul elected for the following year, in order to prevent the entry of disorderly persons from the country to join the

faction, was stationed in the suburbs with an armed force *. The Capitol was invested in form, and appears to have held out some days; at the end of which, in order to oblige the rebels to surrender, the pipes that supplied them with water were cut off†.

This had the intended effect. They submitted on such terms as were proposed to them; and Marius being inclined to favour, had them only confined to the hall of the Senate till farther orders. In the mean time, a great party of citizens, who were in arms for the defence of their families, impatient of delay, and thinking it dangerous to spare such daring offenders, beset them instantly in their place of confinement, and put the whole to the sword ‡.

It was reported, though afterwards questioned upon a solemn occasion §, that Caius Rabirius, a Senator of distinction, having cut off the head of Apuleius, according to the manners of the times, carried it as a trophy, and had it presented for some days at all the entertainments which were given on this occasion, or at which he himself was a guest.

This was the fourth tribunitian sedition raised to a dangerous height, and quelled by the vigour and resolution of the Senate. Marius, who had been ob-

* Cicero pro C. Rabirio. "Et si Caius Marius quod fistulas quibus aqua suppetabatur Jovis optimi maximi templis ac sedibus praecidi imperaret."

† Plutarch. in Caio Mario; οὐκ γέγονε σταύρωσις.

‡ Plut. in Mario. Appian. de Bell. Civil. lib. i. Oros. lib. v. c. 17. Flor. lib. iii. Aut. de Viris Illust. Cicero in Sextiana in Catal. lib. i. Philip. lib. viii. et pro Caio Rabirio.

§ At the trial of Rabirius, when, some years afterwards, he was accused of having killed Saturninus.

liged to act as the instrument of government on this occasion, saw his projects baffled, and his credit greatly impaired. Plutarch relates, that he soon after withdrew from the city for some time, on pretence of a desire to visit the province of Asia, where his active spirit became busy in forming the project of new wars, for the conduct of which he was much better qualified than for the administration of affairs in peace.

Upon the suppression of this dangerous sedition, the commonwealth was restored to a state which, compared to the late mixture of civil contention and military execution, may have deserved the name of

U. C. 652. M. Antonius, A. Posthumius Albinus. public order. One office of Consul was still vacant; and the election proceeding without disturbance, Posthumius Albinus was joined to Antonius. Most of the other elections had also been favourable to the Nobles; and the majority even of the Tribunes of the people, recovered from the late disorders, were inclined to respect the Senate and the Aristocracy, as principal supports of the commonwealth.

The first effect of this happy disposition was a motion to recall Metellus from banishment. In this measure, two of the Tribunes, Q. Pompeius Rufus and L. Porcius Cato concurred. But Marius having opposed it with all his influence, and Publius Furius, another of the Tribunes, having interposed his negative, it could not at that time be carried into execution. Soon after, however, the same motion being renewed by the Tribune Callidius, and Furius having repeated his negative, Metellus, son

of the exile, in presence of the people, threw himself upon the ground, and embracing the Tribune's knees, beseeched him not to withstand the recall of his father. The young man, from this action, afterwards acquired the surname of *Pius*; and the Tribune, insolently spurning this suppliant, as he lay on the ground, served his cause by that act of indignity perhaps more effectually than he could have done by lending a favourable ear to his request. The people, ever governed by their present passions, were moved with tenderness and with indignation. They proceeded, without regard to the negative of Furius, under emotions of sympathy for the son, to recall the exiled father. The messenger of the republic sent to announce this act of the people to Metellus, found him at Tralles in Lydia, among the spectators at a public show. When the letters were delivered to him, he continued to the end of the entertainment without breaking the seals; by this mark of indifference, treating the favour of a disorderly populace with as much contempt as he had shown to their censure.

The Senate, in consequence of the distaste which all reasonable men had taken to the violence of the opposite party, having got the ascendant at Rome, were gratified, not only with the test of superiority they had gained in the recall of Metellus, but in the downfall also of some of the tribunes, who had been active in the late disorders. Publius Furius, now become an object of general detestation, fell a sacrifice to the law of Apuleius, which declared it treason to interrupt a Tribune in putting a question to the

people. Being accused by Canuleius, one of his colleagues, of violating this law, he was by the populace, who are ever carried by the torrent, and prompt for execution, prevented from making his defence; and, though a Tribune in office, was put to death. Decianus, another of these officers, in supporting the charge against Furius, happened to speak with regret of the death of Saturninus, a crime for which he incurred a prosecution, and was banished *. So strong was the tide of popularity now opposite to its late direction, and so fatal as precedents, even to their own cause, frequently are the rules by which violent men think to obtain discretionary power to themselves. The murder of Nonius was a precedent to justify the execution of Apuleius, and both were followed by that of Furius. The law which had for its object the support of Apuleius in any measure of disorder or licence, was now employed to support his enemies against himself and his faction.

Amidst these triumphs of the aristocratical party, Sextus Titius, one of the Tribunes, still had the courage to move a revival of the Agrarian law of Gracchus. The proposal was acceptable in the assembly of the people †: And the edict was accordingly passed. But it was observed, that while the people were met on this business, two ravens were fighting in the air above the place of assembly, and the College of Augurs, on pretence of this unfavourable

* Val. Max. lib. viii, c. 1.

† Julius Obsequens.

omen, annulled the decree *. Titius, the author of it, was soon after condemned for having in his house the statue of Saturninus †.

The Consul Aquilius returned from Sicily ; and having had an ovation or procession on foot for the reduction of the Sicilian slaves, was on the following year brought to trial for extortion in his province. He called no exculpatory evidence, nor deigned to court the favour of his judges. But when about to receive sentence, M. Antonius, who had pleaded his cause, tore open the vest of his client, and displayed to the court and the audience the scars which he bore in his breast, and which were the marks of wounds received in the service of his country. Upon this spectacle, a sudden emotion of pity or respect decided against the former conviction of the court, and unfixed the resolution which, a few moments before, they had taken to condemn the accused.

Among the events which distinguished the Consulate of M. Antonius and A. Posthumius Albinus, may be reckoned the birth of Caius Julius Cæsar, for whose ambition the seeds of tribunitian disorder now sown were preparing a plentiful harvest. This birth, it is said, was ushered in with many presages and tokens of future greatness. If, indeed, we were to believe, that nature in this manner gives intimation of impending events, we should not be surprised that her most ominous signs were employed

* Cicero de Legibus, lib. ii.

† Ibid. pro C. Rabirio. Ibid. de Orator. lib. ii, c. 28.

to mark the birth of a personage who was destined to change the whole face of the political world, and to lay Rome herself, with all the nations she had conquered, prostrate under the dominion of caprice and force,—a state of degradation which, by its natural effects, served to turn back into the lowest ebb of ignorance and meanness the tide of mental attainment which had flowed for some ages in an opposite direction.

U. C. 655.
Q. Cæcilius Metellus Nepo, T. Didius.

Antonius and Albinus were succeeded in office by Q. Cæcilius Metellus and Titus Didius.

Q. Cæcilius Metellus Nepo, T. Didius.

The war still continued in Spain, and the conduct of it fell to the lot of Didius.

Upon his arrival in the province, Dolabella, the Proprætor, set out on his return to Rome, and, for his victories in Spain, obtained a triumph. Metellus remained in the administration of affairs in Italy.

Lex Cæci- lia Didia.

The legislation of the present year is distinguished by an act in which both Consuls concurred, and which is therefore marked in the title with their joint names. The Roman people had frequently experienced the defect of their forms in the manner of enacting laws. Factious Tribunes had it in their power to carry motions by surprise, to include in the same law a variety of regulations, and by obliging the people to pass or reject the whole in one vote, frequently obtained, under the favour of some popular clause, acts of a very dangerous tendency. To prevent this abuse, it was now enacted, upon the joint motion of the Consuls Cæcilius and Didius, that every proposed law should

be made public three market days before it could receive the assent of the people : that all its different clauses should be separately voted : and that it should be lawful for the people to select a part, if they were not inclined to adopt the whole *.

This law had a salutary tendency ; and, though far from sufficient to prevent a return of the late evils, it served for a time to obstruct the course of tribunitian violence : but while the source was open, any mere temporary obstruction could only tend to increase the force with which it occasionally burst over every impediment of law or good order that was placed in its way. And the inefficacy of measures taken upon the suppression of the late dangerous sedition to eradicate the evil, shews the extreme difficulty with which men are led, in most cases, to make any great or just reformation.

It is somewhat singular, that about this time, in the midst of so much animosity of the people to the Senate and Nobles, this superior and probably more opulent class of the citizens were the patrons of austerity, and contended for sumptuary laws, while the popular Tribunes contended for license and the abolition of former restraints. "What is your liberty," said the Tribune Duronius to the people, (while he moved for a repeal of the sumptuary law of Fannius), "if you may not enjoy what is your own ; if "you must be directed by rule and measure ; if "you must be stinted in your pleasures ?—Let us

* Cic. Philip. v. Pro domo sua. Epist. ad Atticum. lib. ii.

"shake off, I pray you, these musty remains of antiquity, and make free to profit by what we and our fathers have gained *."

For the petulance of these expressions, this Tribune was, by the judgment of the Censors, on the following year, expelled from the Senate; and he took his revenge by prosecuting the Censor Antonius for bribery in canvassing for the very office he now held.

Cn. Cornelius Lentulus and Publius Licinius Crassus being raised to the Consulate, the latter was appointed to relieve Didius in Spain, and the other to succeed Metellus in Italy. There is, during some years, a considerable deficiency in the materials from which our accounts are collected; little more is recorded than the succession of Consuls, with the number of years that elapsed, and a few particulars that ill supply the interval of what passed in the city, or in the series of important affairs abroad. So far as these particulars, however, can be referred to their respective dates, it will be proper, while we endeavour to mark the lapse of time, to record them in the order in which they are supposed to have happened.

In the present year are dated two remarkable acts of the Senate; one to prohibit recourse to magic, another to abolish the practice of human sacrifices †: the first proceeding, perhaps, from credulity in the authors of the law; the other implying some remains of a gross and in-

* Val. Max. lib. ii, c. 9.

† Plin. lib. xxx, c. 1.

human superstition, which was still entertained by the people, though rejected by the government *.

In the following Consulate the kingdom of Cyrené was bequeathed to the Romans by Ptolemy Appion, the late king. But, as this people professed themselves to be the general patrons of liberty, where this blessing was not forfeited by some act of ingratitude or perfidy in their allies, they did not avail themselves of this legacy, leaving the subjects of Cyrené to retain for some time the independence of their nation, with a species of popular government; and in this condition they were allowed to act the part of a separate state, until, under a general arrangement respecting all the dependencies of the Roman empire, the territories of Cyrené, among the rest, were reduced to the form of a province.

The following Consuls gave its name and its date
 U. C. 658.
 L. Licinius Crassus,
 Q. Mucius Scævola.
 Lex Laci-
 nia Mucia
 de Cibis
 regendis.
 to an act of the people, nearly of the same tenor with some of those which were formerly passed for the exclusion of aliens. The inhabitants of Italy still continued the practice of repairing in great numbers to Rome, if not in expectation of obtaining in a body the prerogative of citizens, at least in hopes of intruding themselves individually, as many of them separately did, into some of the Tribes, by which persons of this extraction came by degrees, from voting at elections, to be themselves elected into the higher offices of state.

Times of faction were extremely favourable to

* Dion. Cassius, lib. xlvi, p. 226.

this intrusion of strangers. Different leaders connived at the enrolment of those who were likely to favour their respective parties. And the factious Tribunes, however little they may have favoured the general claim of the allies to be admitted as Romans, fondly espoused their cause, as matter of opposition to the Senate, and as likely to open a more spacious field for their own operations ; as they expected to raise the storm of popular animosity and tumult with the more ease, in proportion as the numbers of the people increased. By the act of Licinius and Mucius, nevertheless, a scrutiny was set on foot, and all who, without a just title, ventured to exercise any privilege of Roman citizens, were remitted to their several boroughs *.

In this consulate is likewise dated the trial of Servilius Cæpio, for his supposed misconduct about ten years before in his command of the army against the Cimbri. He had exasperated the popular faction by opposing the act of Saturninus for the gratuitous distribution of corn, and his enemies were now encouraged to raise this prosecution against him. The people gave sentence of condemnation, and violently drove from the place of assembly two of the Tribunes who ventured to interpose their negative in his favour. Authors, according to Valerius Maximus, have differed in their accounts of the sequel ; some affirming that Cæpio, being put to death in prison, his body was dragged through the streets as that of a traitor, and cast into the river ;

* Ascon. in Orat. pro Cornelio Majest. reo.

others, that he was, by the favour of Antistius, one of the Tribunes, rescued, or enabled to make his escape *.

C. Norbanus, who was said to be author of the riot, which occasioned the condemnation of Cæpio, and the supposed cruel execution of that citizen, was, on the following year, brought to trial himself for mal-administration and sedition in office ; but, by his own popularity, and the address of the orator Antonius, who pleaded his cause, was acquitted †.

The war in Spain still continued ; and the Romans, having gained considerable victories, sent ten commissioners; to endeavour, in concert with Crassus and Didius, to make such arrangements as might tend to the future peace of those provinces ; but in vain : hostilities were again renewed in the following year.

L. Cornelius Sylla, who had been Quæstor in the
 U. C. 660. year of Rome six hundred and forty-six,
 C. Val. now, after an interval of about fourteen
 Flaccus, years, and without having been Edile,
 M. Hier. remnius. stood candidate for the office of Prætor.
 Whether his neglect of political honours, during this period, proceeded from idleness, or from want of ambition, is uncertain. His character will justify either construction, being equally susceptible of dissipation and of the disdain of ordinary distinctions. The people, however, refused to gratify him in his desire of passing on to the office of Prætor without being Edile ; as they were resolved to be gratified

* Val. Max. lib. iv. c. 7.

† Cicero de Orator. lib. ii.

with the magnificent shows of wild beasts, which his supposed correspondence with the king of Mauritania enabled him to furnish. But to remove this objection to his preferment, he gave out, that as Praetor he should exhibit the same shows which were expected from him as Edile ; and having, in the following year, persisted in his suit, he was accordingly elected, and fulfilled the expectations of the people ; insomuch, that he is said to have let loose in the Circus one hundred maned or male lions, and to have exhibited the method of baiting or fighting them by Mauritanian huntsmen *. Such was the price which candidates for preferment at Rome were obliged to pay for the suffrage of the people.

In this variable scene, where so many particular men excelled in genius and magnanimity, while measures of state were affected by the caprice of a disorderly multitude, P. Rutilius, late Quæstor in Asia, exhibited a spectacle more than sufficient to counterbalance the lions of Sylla ; and, if it were permitted in any case whatever to treat our country with disdain, furnished an instance to be applauded of the just contempt with which the undeserved resentments of corrupt and malicious men may be slighted. Having reformed many abuses of the equestrian tax-gatherers in the province which he governed, he was himself brought before the tribunal of an equestrian jury, to be tried for the crime he had restrained in others. In this situation he declined the aid of any friend, told the judges he

* Plin. lib. viii, c. 16.

would make no defence ; but stated the particulars by which he had offended his prosecutors, left the court to decide, and, being condemned, retired to Smyrna, where he ever after lived in great tranquillity, and could not be prevailed on, even by Sylla in the height of his power, to return to Rome *. Great as the state and republic of Rome was become, unmerited disgrace was certainly a just object of contempt or indifference, to the worthy person on whom it was inflicted.

The Proconsuls, Didius and Crassus, were permitted to triumph for victories obtained in Spain, but had not been able to establish the peace of that country. The conduct of the war which broke out afresh in one of the provinces was committed to Valerius Flaccus, and that of the other to Perperna, one of the Consuls. Flaccus, near the town of Belgida, obtained a great victory, in which were slain about twenty thousand of the enemy ; but he could not prevail on the canton to submit. Such of the people as were inclined to capitulate, having met to deliberate on terms, were beset by their fellow-citizens, and the house in which they were assembled being set on fire, they perished in the flames.

The war having been likewise renewed with the Thracians on the frontiers of Macedonia, C. Claudio Pulcher, M. Geminus, who commanded there in the Perperna. quality of Proprætor, was defeated, and the province overrun by the enemy.

* Val. Max. lib. vi, c. 17. Liv. lib. lxx. Orosius, lib. v, c. 17. Cic. de Orator. et in Bruto. Pædianus in Divinationem. Velleius, lib. ii.

The Praetor Sylla, at the expiration of his office, was sent into Asia with a commission to restore Ariarathes to the kingdom of Cappadocia, which had been seized by Mithridates, and to restore Pyramenes to that of Paphlagonia, from which he had been expelled by Nicomedes king of Bithynia. The Praetor having successfully executed both these commissions, continued his journey to the Euphrates, where he had a conference, and concluded a treaty with an ambassador from Ariarathes king of the Parthians *.

From an edict of the Censors, Cn. Domitius Ahenobarbus and C. Licinius Crassus, condemning the schools of Latin rhetoric †, it appears that the Romans, during this period, still received with reluctance the refinements which were gradually taking place in the literary as well as in the other arts. “Whereas information,” said the Censors in their edict, “has been lodged before us, that schools “are kept by certain persons under the title of Latin rhetoricians, to which the youth of this city “resort, and at which they pass entire days in fri-“volity and sloth; and whereas our ancestors have “determined what their children should learn, and “what exercises they ought to frequent: these in-“novations on the customs and manners of our “forefathers being, in our opinion, offensive and “wrong, we publish these presents, that both mas-

* Plutarch. in Sylla. Appian. in Mithridatico. Justin. lib. xxxiii. Strabo, lib. xii.

† Cicer. de Orator. lib. iii, c. 24.

"ters and scholars, given to these illicit practices,
"may be duly apprised of our displeasure *." Cicero being now fourteen years of age, and employed in acquiring that eloquence for which he became so famous, was probably involved in this censure, as frequenting the schools, which, by this formal edict of the magistrate, were condemned.

In the Consulate of Marcius Philippus and Sext.

U. C. 662. Julius Cæsar, according to Pliny, there
Lucius Mar-
cius Philip-
pus, Sextus
Julius Cæ-
sar. were in the Roman treasury sixteen hundred and twenty-eight thousand eight hundred and twenty-nine pondo † of gold ‡, or between sixty and seventy or eighty millions Sterling. In the same year a present sent from the king of Mauritania had nearly produced a civil war in the commonwealth, or at least inflamed the passions from which that calamity soon after arose. Bocchus, in order to remind the Romans of the merit he had acquired by delivering Jugurtha into their hands, had caused this scene to be represented in a group of images of gold, containing his own figure, that of Jugurtha, and that of Sylla, to whom the unhappy prince was delivered up. Marius, under whose auspices this transaction had passed, being provoked at having no place in the group by which it was represented, attempted to pull down the images after they had been erected in the place of their destination in the Capitol. Sylla was equally solicitous to have them remain; and the contest was

* A. Gellius, lib. xv, c. 11. † The Roman pondo of ten ounces.

‡ Plin. Harduen, lib. xxxiii, c. 3.

likely to end in violence, if matters of greater moment had not arisen to occupy the ardent and vehement spirit of these rivals.

The expectations of all parties at Rome, and throughout Italy, were now raised by the projects of Livius Drusus, an active Tribune, who, in order to distinguish himself, brought forward many subjects of the greatest concern to the public. He acted at first in concert with the leading men of the Senate, and was supported by them in order to obtain some amendment in the law as it then stood respecting the courts of justice. The Equestrian order had acquired exclusive possession of the judicature. ^{Lex de Ju-} The Senators wished to recover at _{dicia.} least a share in that prerogative ; and Drusus, in order to gratify them, moved for an act of which the tendency was, to restore the Senators to their place in forming the courts of justice ; and to prevent opposition from the Equestrian order, he proposed, at once, to enrol three hundred knights into the Senate ; and that the Senators, who appear at this time to have amounted to no more than three hundred, might not withstand this increase of their numbers, he left to each the nomination of one of the new members ; proposing, that from the six hundred so constituted, the list of judges should be taken *. Many of the knights were reconciled to this arrangement, by the hopes of becoming Senators ; but the order, in general, seem to have consi-

* Appian. de Bell. Civ. lib. i. Aut. de Viris Illustribus, c. 66. Cicero pro Clientio.

dered it as a snare laid to deprive them of their consequence in the government of their country; and individuals refused to accept of a place in the Senate, at the hazard of so great and so sudden a change in the constitution of the state, and in the condition of an order from which they derived their consequence *.

This Tribune likewise proposed an act to debase *Lex Num. maria.* the silver coin, by mixing an eighth of alloy. But the part of his project which gave the greatest alarm, was that which related to the indigent citizens of Rome, and to the inhabitants of Italy in general.

With a view to gratify the poorer citizens he proposed, *Lex de Co. lonii.* that all the new settlements, projected by the law of Caius Gracchus, should now be carried into execution. The Consul Marcus Perperna, having ventured to oppose this proposal, was, by order of the Tribune, taken into custody; and so roughly treated in the execution of this order, that, while he struggled to disengage himself, the blood was made to spring from his nostrils. "It is no more than the pickle of the turtle-fish †," said the Tribune; a species of delicacy, in which, it seems, among other luxuries of the table, this Consul was supposed frequently to indulge himself.

* Appian. de Bell. Civ. lib. i. Aut. de Viris Illustribus, c. 66. Cicero pro Clientio.

† "Ex turdis maria." Aut. de Viris Illustribus, in L. Drus. Val. Max. lib. ix, c. 4. Florus.

For the allies of Italy, Livius Drusus proposed to obtain the favourite object on which they had been so long intent, their admission <sup>Lex de Ciu-
tate Sociis
danda.</sup> on the rolls of Roman citizens. In all his other proposals, he had the concurrence of some party in the commonwealth, and by persuasion, or force, had obtained his purpose ; but in this he struck at the personal consideration of every citizen, and was opposed by the general voice of the people.

This Tribune used to boast, that he would exhaust every fund from which any order of men could be gratified, and leave to those who came after him nothing to give but the air and the earth *. The citizens, however, in general, were become tired of his favours, and the people of Italy were ill disposed to requit the merit of a project, which, though in their favour, he had not been able to execute.

Soon after the motion which Drusus made for this great and alarming innovation, he was suddenly taken ill in the public assembly, and Papirius Carbo, another of the Tribunes, made a short speech on the occasion, which, among a people prone to superstition, and ready to execute whatever they conceived to be awarded by the gods, probably hastened the fate of his falling colleague : “ O Marcus Drusus !” he said, “ the father I call, not this degenerate son ; “ thou who usedst to say, The commonwealth is safe, whoever violates it is sure to be punished. “ The temerity of the son may soon evince the wisdom of the father.” A great shout arose in the

* Florus, lib. iii, c. 17.

assembly, and Drusus *, being attended to his own house by a numerous multitude, received in the crowd a secret wound of which he died †. All his laws were soon after repealed, as having passed under unfavourable auspices. But the inhabitants of Italy were not to be appeased under their late disappointment, and discontents were breaking out in every part of the country, which threatened to end in some great convulsion.

In this state of public alarm, some prosecutions were raised by the Tribunes, calculated merely to gratify their own private resentments, and tending at the same time to excite extreme animosities. Q. Varius Hybrida obtained a decree of the people, directing, that inquiry should be made by whose fault the allies had been made to expect the freedom of the city. In consequence of an inquest set on foot for this purpose, L. Calpurnius Bestia, late Consul, and M. Aurelius Orator, and other eminent men, were condemned ‡. Mummius Achaicus was banished to Delos. Emilius Scaurus, who had long maintained his dignity as *Princeps*, or first on the roll of the Senate, was cited on this occasion before the people as a person involved in the same guilt. Quintus Varius, the Tribune who accused him, being a native of Spain, Scaurus was acquitted upon the following short defence: “ Q. Varius, from the banks of the Sucro, in Spain, says, That M. Emilius Scaurus, first in the roll of the Senate, has encouraged

* Cicero in Bruto, p. 63.

† Velleius, lib. ii, c. 13, 14. Appian. Florus, lib. iii, c. 17.

‡ Appian. Val. Max. lib. viii, c. 4. Cicero in Bruto.

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and all the Roman citizens who happened to be in the place. The alarm immediately spread throughout all the towns that were concerned in the plot ; and, as upon a signal agreed, the Marsi, Peligni, Vestini, Marcini, Picentes, Ferentanæ, Hirpini, Pompeiani, Venusini, Apuli, Lucani, and Samnites, took arms, and in this menacing posture sent a joint deputation to Rome, to demand a participation in the privilege of citizens ; of which they had, by their services, contributed so largely to increase the value.

In answer to this demand they were told by the Senate, That they must discontinue their assemblies, and renounce their pretensions ; otherwise, that they must not presume to send any other message to Rome.

War being thus declared, both parties prepared for the contest. The allies pitched upon Corfinium for the capital of what they denominated the *Italian Republic* : they instituted a Senate of five hundred members ; elected two Consuls, with other civil and military officers of state, to replace the political government at Rome, from which they now withdrew their allegiance. They mustered in separate bodies, and under different leaders, one hundred thousand men in arms *. The Romans now found themselves in an instant brought back to the condition in which they had been about three hundred years before ; reduced to a few miles of territory round their walls, and beset with enemies more united, and more numerous

U. C. 366.
L. Julius
Cæsar, P.
Rutilius
Lupus.

* Diodorus, lib. xxxvii, Eclog. 1.

The Committee
principal armies ; Lucius Cæsar had command of the army of the Samnites *, and Quintus Fabius Maximus of the Marsi †. They had under their command celebrated and experienced officers of the Roman army, but little more is preserved to furnish an account of the war besides the names of the Roman commanders, and those of the persons opposed to them. Rutilius was attended by Pompeius Strabo, the father of him who afterwards bore the title of Pompey the Great ; Cæpio, Perperna, Messala, and Caius Marius, of whom the last had already so often been Consul. Lucius Cæsar had, in the army which he commanded, Lentulus, Didius, Crassus, and Marcellus. They were opposed by T. Afranius, P. Ventidius, Marcus Egnatius, Q. Pompedius, C. Pa- pius, M. Lamponius, C. Judacilius, Hircus, Assinius,

* Now part of the kingdom of Naples.

† Contiguous part of the Ecclesiastical State.

and Vetius Cato, at the head of the allies. The forces were similar in discipline and in arms. The Romans were likely to be inferior in numbers and in resources, but had the advantage in reputation, authority, and in the fame of their leaders, employed in the highest stations, and inured to command. But so well had the allies taken their measures, and with so much animosity did they enter into a quarrel which they had been meditating for some years, that the Romans appeared at first unequal to the contest, and were surprised and overcome in sundry encounters.

The detail of these operations is imperfectly recorded, and does not furnish the materials of a relation either interesting or instructive. We must therefore content ourselves with little more than a list of actions and events, together with the general result.

One of the Consuls, Lucius Cæsar, in the first operation of the war, was defeated by Vetius Cato near Esernia, and had two thousand men killed in the field. The town of Esernia was immediately invested, and some Roman officers of distinction were obliged to make their escape in the disguise of slaves. Two Roman cohorts were cut off at Venafrum, and that colony fell into the hands of the enemy. The other Consul, Rutilius, was likewise defeated by the Marsi, and fell in the field, with eight thousand men of his army. His colleague was called to the city to preside at the election of a successor; but being necessarily detained with the army, the office continued vacant for the remainder of the

" your subjects to revolt ; Varius maintains the charge ; Scaurus denies it ; there is no other evidence in this matter ; choose whom you will believe *."

The year following, Varius himself was tried, and condemned in terms of his own act ; and while these prosecutions suspended all other civil affairs, and even interrupted the measures required for the safety of the public, the inhabitants of Italy were forming dangerous combinations, and were ready to break out in actual rebellion. They were exasperated with having their suit not only refused, but in having the abettors of it at Rome considered as criminals. They deputed commissioners to meet at a convenient place, to concert their measures, and were speedily advancing to the effect of some violent resolutions.

The Romans took their first suspicion of a dangerous design in agitation among their allies, from observing that they were exchanging hostages among themselves. The Proconsul Servilius, who commanded in the Picenum, having intelligence of such proceedings from Asculum, repaired thither, in order, by his presence, to prevent any commotion ; but his coming, in reality, hastened the revolt. His remonstrances and his threats made the inhabitants sensible that their designs were known, and that the execution of them could no longer be in safety delayed. They accordingly took arms, and put to the sword the Proconsul Servilius himself, with his lieutenant,

* Cicero pro M. Scauro filio. Aut. de Viris Illustribus, c. 72. Quintilian, lib. v, c. 12. Val. Max. lib. iii, c. 7.

and all the Roman citizens who happened to be in the place. The alarm immediately spread throughout all the towns that were concerned in the plot ; and, as upon a signal agreed, the Marsi, Peligni, Vestini, Marcini, Picentes, Ferentanæ, Hirpini, Pompeiani, Venusini, Apuli, Lucani, and Samnites, took arms, and in this menacing posture sent a joint deputation to Rome, to demand a participation in the privilege of citizens ; of which they had, by their services, contributed so largely to increase the value.

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U. C. 566.
L. Julius
Cæsar, P.
Rutilius
Lupus.

* Diodorus, lib. xxxvii, Eclog. 1.

than ever had assailed them at once on the same ground. But their city was likewise enlarged, their numbers increased, and every individual excellently formed to occupy his place in the state, either as a warrior or a citizen. All of them assumed, upon this occasion, the sagum or military dress ; and being joined by such of the Latins as remained in their allegiance, and by such of their colonies, from different parts of Italy, as continued to be faithful, together with some mercenaries from Gaul and Numidia, they assembled a force equal to that of their revolted subjects.

The Consuls were placed at the head of the two principal armies ; Lucius Julius Cæsar, in the country of the Samnites *, and Rutilius, in that of the Marsi †. They had under their command the most celebrated and experienced officers of the republic ; but little more is preserved to furnish an account of the war besides the names of the Roman commanders, and those of the persons opposed to them. Rutilius was attended by Pompeius Strabo, the father of him who afterwards bore the title of Pompey the Great ; Cæpio, Perperna, Messala, and Caius Marius, of whom the last had already so often been Consul. Lucius Cæsar had, in the army which he commanded, Lentulus, Didius, Crassus, and Marcellus. They were opposed by T. Afranius, P. Ventidius, Marcus Egnatius, Q. Pompedius, C. Papinius, M. Lamponius, C. Judacilius, Hircus, Assinius,

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campaign, while the army acted under the direction of the late Consuls, Marius and Cæpio.

The corpse of Rutilius, and of other persons of rank, being brought to the city in order to have the honours of a public funeral, seemed to spread such a gloom, as to suggest a resolution in the Senate, which is probably wise on all such occasions, that for the future the dead should be buried where they fell.

In the mean time, Lucius Cæsar obtained a victory in the country of the Samnites ; and the Senate, in order to compose the minds of the people, which in this war were agitated to an uncommon degree, as if this victory had suppressed the revolt, resolved, that the sagum, or military dress, should be laid aside *.

The usual time of the Consular elections being come, Cn. Pompeius Strabo and Porcius Cato were named. The first gained a complete victory over the Marsi ; and notwithstanding an obstinate defence, reduced the city of Asculum, where the first hostilities took place, and where the Romans had suffered the greatest outrage. The principal inhabitants of the place were put to death ; the remainder were sold for slaves. The other Consul, Cato, was killed in an attack upon the entrenchments of the Marsi ; and although Marius and Sylla, in different quarters, had turned the fortune of the war against the allies, yet the event still continued to be extremely doubtful.

* *Liv.* lib. Ixxiv. *Appian.* *Orosius,* lib. v, c. 18. *Florus,* lib. iii, c. 18.
Velleius. *Eutropius.*

The Umbrians, Etruscans, and inhabitants of other districts of Italy, who had hitherto hesitated in the choice of their party, took courage from the perseverance and success of their neighbours, and openly joined the revolt. The more distant parts of the empire were soon likely to receive the contagion : they were already, by the obstruction they met with in carrying supplies of provisions or revenue, severed from the capital, and they were likely to withdraw, on the first opportunity, the allegiance which they were supposed to owe as conquered provinces.

Mithridates, the king of Pontus, did not neglect the occasion that was offered to him, in this distraction of affairs in Italy ; he put all his forces in motion, expelled Nicomedes from Bithynia, and Ario-barzanes from Cappadocia, and thus himself became master of the greater part of Lesser Asia.

In this extremity it appeared necessary at Rome to compose the disorders of Italy, and no longer to withstand the request of the allies ; but the Senate had the address to make the intended concessions seem to be an act of munificence and generosity, not of weakness or fear.

The Latins, who had continued in their allegiance, were, in consideration of their fidelity, admitted to all the privileges of Roman citizens. The Umbri and Tuscans, who either had not yet declared, or who had appeared the least active in the quarrel, were next comprehended ; and some other inhabitants of Italy, observing, that they were likely to obtain by favour what they endeavoured at so great a

risk to extort by force, grew remiss in the war, or withdrew from the league, that they might appear to be forward in the general return to peace.

The Marsi, Samnites, and Lucanians, who had been the principal authors of the revolt, or who had acted with most animosity in the conduct of it, continued for some time to be excluded from the privilege to which they aspired, and which the Romans would not be forced to bestow. But the civil war which soon after broke out among the citizens themselves, terminated either in the extirpation of those obstinate aliens, and in the settlement of Roman colonies in their stead, or gave them an opportunity, under favour of the party they espoused, of gaining admittance to the freedom of Rome: so that, in a few years, all the inhabitants of Italy, from the Rubicon to the Straits of Messina, were inscribed on the rolls of the people, and a constitution of state, which had been already overcharged by the numbers who partook of the sovereignty, was now altogether overwhelmed; or if this change alone were not sufficient to destroy it, was not likely long to remain without some notable or fatal reverse. Assemblies of the people, already sufficiently tumultuary, being now considered as the collective body of all the Italians, were become altogether impracticable, or for the most part could be no more than partial tumults; which, for particular purposes, assumed this title, in the streets of Rome, or the contiguous fields; insomuch, that when we read of the authority of the Senate being set aside by an order of the people, we may venture to conceive all government suspended

at the suit of the party or faction who had the populace of the town at their call, rather than any regular transaction of state.

Licinius Crassus and L. Julius Cæsar were chosen Censors, in order to make up the new rolls of the people. This, it is likely, was found to be a difficult and tedious work. It became necessary to scrutinize the rolls of every separate borough, in order to know who were entitled to be added to the list of Roman citizens ; and this difficulty was further increased in consequence of a law devised about this time by Papirius Carbo, in which it was enacted, that not only the natives and ancient denizens of Italy, but all who should, for the future, obtain the freedom of any Italian borough, if they had a residence in Italy, and lodged their claim to the Praetor sixty days, should, by that act, become citizens of Rome * ; so that the prerogative of the Roman people continued to be in the gift of every separate corporation, as well as in that of the state itself.

The number of the aliens admitted on the rolls, at this muster, is not recorded ; but it was probably equal to that of the ancient citizens, and might have instantly formed a very powerful and dangerous faction in the state, if effectual measures had not been taken to diminish or guard against the effect of their influence. For this purpose, the new citizens were not mixed promiscuously with the mass of the people, but confined to eight particular Tribes † ; and of consequence, could influence only eight votes in

* Cicero pro Archia Poeta. † Velleius Paterculus, lib. ii, c. 20.

thirty-five * ; and the ancient citizens were still possessed of a great majority. But this artifice did not long escape the attention of those who were aggrieved by it, and became, in the sequel, subject of further dispute.

Meantime, while the Romans were meditating, or actually making, this important change in the state of their commonwealth, they found leisure for matters of less moment, in which they endeavoured to provide for the peace of the city, and the administration of justice.

Plautius, one of the Tribunes, obtained a new law ^{Lex Plotia de Judiciis.} for the selection of judges, by which it was enacted, that each Tribe should annually set apart fifteen citizens, without any distinction of rank ; and that, from the whole so named, the judges in all trials that occurred within the year should be taken †. This law appeared to be equitable, as it gave, with great propriety, to all the different classes of men in the commonwealth, an equal right to be named of the juries : and to every party concerned an equal chance of being tried by his peers.

The same Tribune likewise obtained a law for the ^{Lex Plotia de Vi.} preservation of the public peace, by which it was declared capital to be seen in any place of public resort, with a weapon or instrument of death : to occupy any place of strength in the

* Historians mention this particular, as if eight new Tribes were added to the former thirty-five ; but the continual allusion of Roman writers to the number thirty-five, will not allow us to suppose any augmentation. Cicero de lege Agraria 2da, c. 8.'

† Pædianus in Cornelianam Ciceronis.

city ; to offer violence to the house of any person ; to disturb any private company ; to interrupt any meeting of the Senate, assembly of the people, or court of justice. To these clauses Catulus subjoined another, in which he comprehended persons surrounding the Senate with an armed force, or offering violence to any magistrate *.

* Cicero pro Cælio, et de Auraspicum Response.

CHAP. XIV.

Triumph of Pompeius Strabo.—Progress of Sylla.—War with the king of Pontus.—Rise of that kingdom.—Appointment of Sylla to command.—Policy of the Tribune Sulpicius.—Sylla's commission recalled in favour of Marius.—His march from Campania to Rome.—Expels Marius and his faction from the city.—His operations in Greece.—Siege of Athens.—Battle of Chaeronea.—Of Orchomenos.—Transactions at Rome.—Policy of Cinna.—Marius recalled.—Cinna flies, and is deprived.—Recovers the possession of Rome.—Treaty of Sylla with Mithridates.—He passes into Italy.—Is opposed by numerous armies.—Various events of the war in Italy.—Sylla prevails.—His proscription, or massacre.—Named Dictator.—His policy,—resignation,—and death.

THE social war, though far from being successful on the part of the Romans, concluded with a triumphal procession ; and the Senate, though actually obliged to yield the point for which they contended, thought proper, under pretence of advantages gained on some particular occasions, to erect a trophy. They singled out Pompeius Strabo for the pageant in this ceremony ; either because he had reduced Asculum where the rebellion first broke out, or because a victory obtained by him had most immediately preceded the peace. But the most remarkable circumstance in this procession was, its being, in show, a triumph of the old citizens over the new, but in reality a tri-

umph of the latter. Ventidius Bassus, being a prisoner in the war, and led as such in the present triumph, was now, though in the form of a captive, in fact introduced to share in the prerogatives of a Roman ; he was, in the sequel, promoted to all the honours of the state ; and, in the quality of a victorious general, came to lead a procession of the same kind with that in which he himself had made his first entry at Rome as a captive *.

Sylla, by his conduct and his successes wherever he had borne a separate command in this war, gave proof of that superior genius by which he now began to be distinguished. By his magnanimity on all occasions, by his great courage in danger, by his imperious exactions from the enemy, and by his lavish profusion to his own troops, he obtained, in a very high degree, the confidence and attachment of soldiers ; and yet in this, it is probable, that he acted merely from temper, and not from design, or with any view to the consequence. With so careless and so bold a hand did this man already hold the reins of military discipline, that Albinus, an officer of high rank, and next in command to himself, being killed by the soldiers in a mutiny, he treated this outrage as a trifle, saying, when the matter was reported to him, That the troops would atone for it when they met with the enemy †. With great merits recently displayed, he repaired to the city, laid claim to the Consulate,

U. C. 865.
L. Cora.
Sylla, Q.
Pomp. Ru-
fus, Cons.

* Val. lib. vi, c. 9. Gellius, lib. xv, c. 4. Plin. lib. vii, c. 43. Dio Cassius, 43, fine.

† Plutarch. in Sylla.

campaign, while the army acted under the direction of the late Consuls, Marius and Cæpio.

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^{U. C. 664.} ^{Cn. Pomp.} Liv. lib. lxxiv. Appian. Orosius, lib. v, c. 18. Florus, lib. iii, c. 18.
^{Strabo, L.} Velleius. Eutropius.
^{Porcius}

The Umbrians, Etruscans, and inhabitants of other districts of Italy, who had hitherto hesitated in the choice of their party, took courage from the perseverance and success of their neighbours, and openly joined the revolt. The more distant parts of the empire were soon likely to receive the contagion : they were already, by the obstruction they met with in carrying supplies of provisions or revenue, severed from the capital, and they were likely to withdraw, on the first opportunity, the allegiance which they were supposed to owe as conquered provinces.

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and was accordingly chosen, in conjunction with Quintus Pompeius Rufus.

It was thought necessary still to keep a proper force under arms in Italy, until the public tranquillity should be fully established. The army, which had acted under Cneius Pompeius Strabo, Consul of the preceding year, was destined for this service; and Quintus Rufus was appointed to the command of it.

The war with Mithridates, king of Pontus, however, was the principal object of attention; and this province, together with the army then lying in Campania, fell to the lot of Sylla.

The monarchy of Pontus had sprung from the ruins of the Macedonian establishments in Asia; and, upon their entire suppression, was become one of the most considerable kingdoms of the East.

Mithridates had inherited from his ancestors a great extent of territory, reaching in length, according to the representation of his ambassador quoted by Appian, twenty thousand stadia, above two thousand miles. He himself had joined to it the kingdom of Colchis, and other provinces on the coasts of the Euxine sea. His military establishment amounted to three hundred thousand foot, and forty thousand horse, besides auxiliaries from Thrace, and from that part of Scythia which lies on the Maeotis and the Tanais, countries over which he had acquired an ascendant approaching to sovereignty. He had pretensions likewise on the kingdoms of Bithynia and Cappadocia, which he had hitherto relinquished from deference to the Romans; or of which

he had postponed the effect until he should be prepared to cope with this formidable power. All his pretensions, indeed, like those of other monarchies or states of any denomination, were likely to extend with his force, and to receive no limitation but from the defect of his power. And such were his resources, and his personal character, that if he had encountered on the side of Europe with an enemy less able than the Romans were to withstand his progress, it is probable that in his hands the empire of Pontus might have vied with that of the greatest conquerors recorded in history.

About the time that the social war broke out in Italy, Cassius Longinus, Manius Acquilius, and C. Oppius, were, in different characters, stationed in the province of Asia, and had taken under their protection every power in the country that was likely to oppose the king of Pontus in his progress to empire.

Nicomedes, who had been recently restored to the crown of Bithynia, made hostile incursions under the encouragement of his Roman allies, even into the kingdom of Pontus itself. And the king, having made fruitless complaints on this subject to the Roman governors in Asia, and thinking that the distracted state of Italy furnished him with a favourable opportunity to slight their resentment, he sent his son Ariarathes into Cappadocia with a force to expel Ariobarzanes, though an ally of the Romans, and to possess that kingdom. He took the field himself, and sent powerful armies, under his generals, against Nicomedes, and his Italian confederates,

who, on their part, had assembled all the force of their province and of their allies, to the amount of an hundred and twenty thousand men, in different bodies, to defend their own frontier, or to annoy their enemy.

Mithridates fell separately upon the different parties which were thus forming against him ; and having defeated Nicomedes, and afterwards Manius, obliged the Roman officers, with their ally, to retire ; Cassius to Apamea, Manius towards Rhodes, and Nicomedes to Pergamus. His fleet, likewise, consisting of three hundred galleys, opened the passage of the Hellespont, took all the ships which the Romans had stationed in those straits ; and he himself soon after in person traversed Phrygia and the Lesser Asia, to the sea of Cilicia and Greece. In all the cities of the Lesser Asia, where the people, as usual, upon a change of masters, now openly declared their detestation of the Roman dominion, he was received with open gates. He got possession of the person of Oppius, by means of the inhabitants of Laodicea, where this general had taken refuge with a body of mercenaries. These were allowed to disband ; but Oppius himself was conducted as a prisoner to the head-quarters of Mithridates, and, in mockery of his state as a Roman governor, was made to pass through the cities in his way, with his fasces or ensigns of magistracy carried before him.

Manius Acquilius likewise fell into the hands of the enemy, was treated with similar scorn, and with a barbarity which nothing but the most criminal

abuse of the power he lately possessed could have deserved or provoked. Being carried round the cities of Asia mounted on an ass, he was obliged at every place to declare, that his own avarice had been the cause of the war ; and he was at last put to death by the pouring of melted gold into his throat.

While Mithridates thus overwhelmed his enemies, and was endeavouring to complete his conquest of Asia by the reduction of Rhôdes, he ordered his general Archelaus to penetrate by the way of Thrace and Macedonia into Greece.

Such was the alarming state of the war, when the Romans having scarcely appeased the troubles in Italy, appointed L. Cornelius Sylla, with six legions that lay in Campania, to embark for Greece, in order, if possible, to stem the torrent which no ordinary bars were likely to withstand.

But before Sylla or his colleague could depart for their provinces, disorders arose in the city, which, however secure from the approach of foreign enemies, brought armies to battle in the streets, and covered the pavements of Rome with the slain.

Publius Sulpicius, Tribune of the People, with a singular boldness and profligacy, ventured to tamper with the dangerous humours which were but ill suppressed in the event of the late troubles ; and, unrestrained by the sad experience of civil wars and domestic tumults, lighted the torch anew, and kindled the former animosity of the popular and senatorian parties. The severe measures hitherto taken by the Senate and Magistrates against the authors of sedi-

tion, had, in some instances, been effectual to snatch the republic out of the hands of lawless men, and to suspend for a while the ruin which threatened the commonwealth ; but the examples so given, instead of deterring others from a repetition of the same crimes, appear only to have admonished the factious leaders to take more effectual precautions, and to make the necessary provision of armed force before they embarked in designs against the state. They accordingly improved and refined by degrees on the measures which they successively took against the Senate ; and when the Tribune Sulpicius began to act, the arrangements he made were equal to a system of formal war. This Tribune, according to Plutarch, had three thousand gladiators in his pay, and, in despite of the law of Plautius, had ever at his beck a numerous company of retainers armed with daggers and other offensive weapons ; these he called his *Anti-senate* ; and kept in readiness to be employed in attempts, which he was at no pains to disguise, against the authority of the Senate itself. He moved the people to recall from exile all those who had withdrawn from the city on occasion of the former disorders, and to admit the new citizens, and enfranchised slaves, to be enrolled promiscuously in all the Tribes, without regard to the late wise limitation of the Senate's decree, by which they were restricted to a few. By the change which he now proposed, the citizens of least consideration might come to have a majority, or irresistible sway in the public deliberations. The Tribunes would become masters in every question, and fill up the rolls of

the people in the manner that most suited their interest.

This presumptuous man himself undertook to procure the freedom of the city for every person who applied to him, and boldly received premiums in the streets for this prostitution of the privileges and powers of his own constituents.

The more respectable citizens, and even the magistrates, in vain withstood these abuses. They were overpowered by force, and frequently driven from the place of assembly. In this extremity, they had recourse to superstition, and by multiplying holidays, endeavoured to stop or to disconcert their antagonists. But Sulpicius, with his party, laid violent hands on the Consuls, in order to force them to recall these appointments. Young Pompey, the son of the present Consul, and son-in-law to Sylla, was killed in the fray. Sylla himself, though withdrawn from the tumult, feeling that he was in the power of this desperate faction, and being impatient to get into a situation in which he could more effectually counteract their fury, chose for the present to comply with their demands *.

In the midst of these violences, the city being under an actual usurpation or tyranny, Sylla repaired to the army in Campania, with a resolution to pursue the object of his destination to Asia, and to leave the tribunitian storms at Rome to spend their force. But soon after his departure, it appeared that Marius was no stranger to the councils of

* Plutarch, in Mario, p. 526, edit. Lond. 4to.

Sulpicius ; and that he hoped, by means of this Tribune, to gratify an ambition which outlived the vigour of his faculties, and the strength of his body. His first object was to mortify his rival Sylla, in revoking, by a decree of the people, the appointment of the Senate, and to supersede him in the command of the army against Mithridates. A decree to this purpose was accordingly with ease obtained by Sulpicius, in one of those partial conventions, which took upon them to represent the people of Italy in the streets of Rome ; and Marius, now appointed general of the army in Campania, that was destined for the Asiatic war, sent the proper officers to notify his appointment to Sylla, and to receive from him, in behalf of his successor, the charge of the army, and the delivery of the stores. Sylla had the address to make the troops apprehend that this change was equally prejudicial to them as to himself ; that Marius had his favourite legions whom he would naturally employ ; and that the same act of violence, by which he had supplanted the general, would bring other officers and other men to reap the fruits of this lucrative service in Asia. This persuasion, as well as the attachment which the army already bore to their general, produced its effect *.

The officers who were charged to make known the appointment of Marius, on declaring their commission, found that violence could take place in the camp as well as in the city. Their orders were re-

* Appian. de Bell. Civil. lib. i.

ceived with scorn. A tumult arose among the soldiers; and citizens vested with a public character, formally commissioned to communicate an order of the Roman people, and in the exercise of their duty, were slain in the camp.

In return to this outrage, some relations and friends of Sylla were murdered at Rome, and such retaliations were not soon likely to end on either side *. Faction is generally blind, and does not see the use that may be made of its own violent precedents against itself. Although Sylla is said to have hesitated, yet he was not a person likely to shrink from the contest, in which his private enemies, and those of the state, had engaged him. Stung with rage, and probably thinking that force would be justified in snatching the republic out of such violent hands, he proposed to the army that they should march to Rome. The proposal was received with joy; and the army, without any of the scruples, or any degree of that hesitation which in adopting this measure is ascribed to their commander, followed where he thought proper to lead them.

On this new and dangerous appearance of things, not only Marius and Sulpicius, with the persons most obnoxious on account of the insults offered to Sylla and to other respectable citizens, were seized with consternation; but even the Senate and the Nobles, seeing questions of state likely to be decided by military force, were justly alarmed.

A faction, it is true, had assumed the authority of

* Plutarch, in Mario, edit. Lond. p. 526.

the Roman people, to violate the laws, and to overawe the state ; but armies, it was thought, are dangerous tools in the quarrels of party ; and no good intention on the part of their leaders, no magnanimity or moderation in the execution of their plans, can compensate the ruinous tendency of a precedent which brings force to be employed as an ordinary resource in political contests. Even the present state of the republic did not appear so desperate as to justify such a measure.

The Senate accordingly sent a deputation to Sylla, with entreaties, and with commands, that he would not advance to the city. This deputation was received by him within a few miles of the gates. He heard the remonstrance that was made to him with patience, and seemed to be moved : gave orders, in the hearing of the deputies, that the army should halt ; sent the proper officers to mark out a camp, and suffered the commissioners to return to their employers, full of the persuasion that he was to comply with their request. But in this he only meant to deceive his antagonists ; and having lulled them into a state of security, he sent a detachment close on the heels of the deputies of the Senate, with orders to seize the nearest gate, while he himself, with the whole army, speedily followed to support them.

The gate was accordingly seized. The people, in tumult, endeavoured to recover it ; Marius secured the Capitol, summoned every person, whether freeman or slave, to repair to his standard ; and multitudes assembled, as in a military station, to form

on the parade. Sylla, in the mean time, at the head of his army, rushed through the gate, of which his vanguard, though pressed by multitudes by whom they were attacked, were still in possession. He was greatly annoyed from the battlements and windows as he passed, and might have been repulsed by the more numerous army of Roman citizens in the streets, if he had not commanded the city to be set on fire, in order to profit by the confusion into which the people were likely to be thrown in avoiding or in extinguishing the flames. By this expedient he drove Marius from all the stations he had occupied, and obliged his adherents to disperse.

While the army was distributed in different quarters of a city, deformed with recent marks of bloodshed and fire, their general assembled the Senate, and called on them to consider the present state of affairs. Among the measures he suggested on this occasion, was a law by which Marius, with his son, and twelve of his faction, who had secreted themselves, were declared enemies of their country. This sentence was accompanied with a public injunction to seize or to kill them wherever they could be found. The reasons upon which this act of attaïnder was granted, were, that they had violated the laws, and seduced the slaves to desert from their masters, and to take arms against the republic *.

* Appian. de Bell. Civil. lib. i, p. 387. The names mentioned in this act of attaïnder or outlawry, were Sulpicius, Marius, father and son, P. Cethegus, Junius Brutus, Cneius and Pub. Granii, Albinovanus, Marcus Suetonius.

While the officers of justice were employed in execution of this decree, and many others were busy in search of their private enemies, thus laid at their mercy, the Tribune Sulpicius, having fled to the marshes on the coast near Laurentum, was dragged from thence and slain. His head, severed from the body, as that of a traitor, who had surpassed every leader of faction in the outrages done to the laws and the government of his country, was exposed on one of the rostra; an example afterwards frequently imitated, and which, though it could not enhance the evils of the times, became an additional expression of the animosity and rancour of parties against each other *.

Marius, upon his expulsion from Rome, retired to his own villa at Salonium; and being unprovided for a longer flight, sent his son to the farm of one Mutius, a friend in the neighbourhood, to procure what might be necessary for a voyage by sea. The young man was discovered at this place, and narrowly escaped in a waggon loaded with straw, which, the better to deceive his pursuers, he had ordered to take the road to Rome. The father fled to Ostia, and there embarked on board a vessel which was provided for him by Numerius, who had been one of his partisans in the preceding disorders. Having put to sea, he was forced by stress of weather to Circeii, there landed in want of every necessary, and made himself known to some herdsmen, of

* Velleius Paterculus, lib. ii, c. 19.

whom he implored relief. Being informed of the parties that were abroad in pursuit of him, he concealed himself for the night in a neighbouring wood. Afterwards, continuing his flight by the coast, and on his way to the town of Minturnæ, he was alarmed at the sight of some horsemen who seemed to be in search ; made for the shore, and with much difficulty, got on board of a boat which was passing. The persons with whom he thus took refuge resisted the threats and importunities of the pursuers to have him delivered up to them, or thrown into the sea ; but having rowed him to a supposed place of safety at the mouth of the Liris, they put him on shore, and left him to his fate. Here he first took refuge in a cottage, afterwards under a hollow bank of the river, and, last of all, on hearing the tread of the horsemen, who still pursued him, he plunged himself to the chin in a marsh ; but, though concealed by the reeds and the depth of the water, he was discovered and dragged from thence all covered with mud. He was carried to Minturnæ, and doomed by the magistrates of the place to suffer in execution of the sentence which had been denounced against himself and his partisans at Rome. He was, however, by some connivance, allowed to escape from hence, again put to sea, and, at the island Ænaria, joined some associates of his flight. Being afterwards obliged to land in Sicily for a supply of water, and being known, he narrowly escaped with the loss of some of the crew that navigated his vessel. From thence he arrived on the coast of Africa, but, being forbid the province by the Praetor Sextilius,

continued to shift his abode among the islands or places of retirement on the coast *.

This adventurer was in his seventieth year, when, by means of popular tumults, he made this attempt to overturn the Roman republic, and when he strove to obtain the command of an army in the busiest and most arduous service which the Roman empire had then to offer. Being forced, by his miscarriage in this attempt, into the state of an outlaw, he still amused the world with adventures and escapes, which historians record with the embellishments of a picturesque and even romantic description. A Gaulish or German soldier, who was employed at Minturnæ to put him to death, it is said, overawed by his aspect, recoiled from the task ; and the people of the place, as if moved by this miracle of the terrified soldier, concurred in aiding his escape †. The presence of such an exile on the ground where Carthage had stood, was supposed to increase the majesty and the melancholy of the scene. “ Go,” he said to the lictor who brought him the orders of the Praetor to depart, “ tell him that you have seen “ Marius sitting on the ruins of Carthage ‡.”

The Senate, thus restored to its authority, and, by the suppression of the late sedition, masters of the city, took the proper measures to prevent, for the future, such violations of order from being introduced under pretence of popular government. They resolved that no question of legislation should

* Plutarch. in Mario, edit. Lond. p. 534.

† Velleius Pater, lib. ii, c. 19.

‡ Plutarch. in Mario.

be agitated in the assembly of the Tribes * ; and Sylla, before he left the city, thought proper to dispatch the election of Consuls for the following year, but did not employ the power, which he now possessed, to make the choice fall on persons who were both of the senatorian party. Together with Octavius, who had the authority of the Senate at heart, he suffered Cinna, though of the opposite faction, to be vested with the powers of Consul, and only exacted a promise from him not to disturb the public tranquillity ; nor, in his absence, to attempt anything derogatory of his own honour †.

Having in this manner restored the city to an appearance of peace, Sylla set out with his army for its destination in Greece. Quintus Rufus, the other Consul of the preceding year, at the same time repaired to his province in the country of the Marsi, where, as has been mentioned, he was to succeed Cn. Strabo in the command of some legions ; but being less agreeable to these troops than his predecessor had been, the soldiers mutinied upon his arrival and put him to death. Cn. Strabo, though suspected of having connived with them in this horrid transaction, was permitted to profit by it in keeping his station. So quick was the succession of crimes which distressed the republic, that one disorder escaped with impunity, under the more atrocious effects of another which followed.

* Appian. de Bell. Civ. lib. i.

† L. Florus, lib. iii, c. 21. Appian. de Bell. Civil. lib. i.

When Sylla was about to depart from the city,
U. C. 666. Virgilius, one of the Tribunes, moved an
L. Corn. impeachment against him for the illegal
Cinna, Cn. steps he had lately taken. But the state
Octavius, of the war with Mithridates was urgent,
Coas. and Sylla took the benefit of the law of Memmius,
by which persons named to command had a privilege
when going on service to decline answering
any charge which should be brought against them,
to impede their departure.

The king of Pontus, notwithstanding he had been disappointed in his attempt upon Rhôdes, was become master of the Lesser Asia, had fixed his residence at Pergamus, and employed his officers, with numerous fleets and armies, to continue his operations in different quarters, making rapid acquisitions at once on the side of the Scythian and Thracian Bosphorus in Macedonia and in Greece. His general, Archelaus, had reduced most of the Greek islands, and was hastening to make himself master of the continent also. Delos had revolted, and had thrown off the yoke of Athens, at the time that it fell into the hands of this general. The king proposed to make use of it as a decoy to bring the Athenians themselves under his power. For this purpose, pretending veneration for the god to whom this island was sacred, he expressed a desire to restore it, with the treasure he had seized there, to its former condition ; and sent Aristion, a native of Athens, but now an officer in his own service, with an escort of two thousand men, to deliver this treasure into the hands of the Athenians. Aristion be-

ing, under this pretence, received into the Pyræus, took possession of the place, and continued to hold it, with the city of Athens itself, for Mithridates, who, by means of the reinforcements sent into Attica, soon after enabled him to overrun Boeotia, Achaia, and Laconia.

To these alarming encroachments on the Roman territory, and to the personal injuries done to such of their generals as had fallen into his hands, Mithridates had joined a barbarous outrage, which roused, in the highest degree, the resentment of the Roman people. He had sent orders to all his commanders in every town and station in Asia, on a day fixed, to begin a massacre of the Roman citizens that were any where settled in that country, and to publish a reward for the slaves of any Roman who should succeed in destroying their master. This order was executed with marks of insult, in which the vile instruments of cruelty, for the most part, are apt to exceed their instructions. It is particularly mentioned, that at Ephesus, Pergamus, and other cities of Asia, entire families, without distinction of sex or age, infants with their parents, taking refuge in the temples, and embracing the altars, were dragged from thence and murdered. But the number of persons who perished in this massacre, if ever known, is no where mentioned*.

The resentment which was natural on this occasion, together with the real danger that threatened the empire, fully justified the contempt with which

* Appian. de Bell. Mithrid. p. 585, 586.

Sylla treated the impeachment of Virgilius, and the celerity with which he left the city of Rome. Having transported to Dyrrachium an army of six legions, he took the route of Thessaly and Ætolia; and having raised in these countries contributions for the pay and subsistence of his army, he received the submission of the Bœotians, who had lately been obliged to declare for Mithridates, and advanced to Athens, where Aristion in the city, and Archelaus in the Pyræus, were prepared to make a vigorous resistance. Mithridates, who was master of the sea, collected together all the troops which he had distributed in the islands, and ordered a great reinforcement from Asia to form an army on the side of Bœotia for the relief of Athens.

Sylla, to prevent the enemy, hastened the siege of this place. He first made an attempt to force his way into the Pyræus by scaling the walls; but being repulsed, had recourse to the ordinary means of attack. He erected towers, and raising them to the height of the battlements, got upon the same level with the besieged, and plied his missiles from thence. He shook the walls with battering engines, or undermined them with galleries, and made places of arms for his men near to where he expected to open a breach. But the defence of the place was vigorous and obstinate, and so well conducted, that he was obliged, after many fruitless efforts, to turn the siege into a blockade, or to await the effects of famine, by which the city began already to be pressed, and by which it was in a little time brought to the last extremity. Those who were confined in the

place, had consumed all the herbage, and killed all the animals that were to be found within the circuit of the walls ; they were reduced to feed on the implements of leather, or other materials that could be turned into sustenance, and came at last to prey upon the carcases of the dead. The garrison was greatly diminished in numbers ; and of those who remained, the greater part was dispirited and weak : but Aristion, on account of the treacherous manner in which he had seized the place, expecting for himself no quarter from the Roman general, still withstood the desire of his troops to capitulate ; when Sylla, knowing the weak state to which the besieged were reduced, made a vigorous effort, stormed and forced the walls with great slaughter. Aristion, who had retired into the Acropolis, was soon afterwards taken and slain.

Archelaus, likewise greatly distressed in the Pyætus, found means to escape by water, and leaving the post he abandoned to be occupied by Sylla, who razed its fortifications to the ground, he hastened to join the army that was forming by order of his master on the side of Thessaly.

The army of Mithridates advanced into Boeotia. Every part of it was sumptuously provided with all that was necessary for subsistence or parade. There was a numerous cavalry richly caparisoned ; an infantry of every description, variously armed, some to use missile weapons, others to engage in close fight ; a large train of armed chariots, which, being winged with scythes, threatened to sweep the plains. The whole army amounted to above an hundred and

twenty thousand men. But their master, with all his ability, it appears, in the manner of barbarous nations, relied on the numbers of his host, to the neglect of its order, or the proper conduct of its strength. Sylla was to oppose this multitude with no more than thirty thousand men.

On this inferior enemy, Archelaus continually pressed with all his forces, and endeavoured to bring on a general action, which Sylla cautiously avoided ; waiting for an opportunity that might deprive the enemy of the advantage he had in the superiority of his numbers. The armies being both in Boeotia, Archelaus inadvertently took post near Chæronea, on the ascent of a steep hill that was formed into natural terraces by ledges of rocks, and which terminated at last in a peak or narrow summit. On the face of this hill he had crowded his infantry, his cavalry, and his chariots, and trusted that, although the ground was unfavourable to the operations of such an army, it was still inaccessible, and they could not be attacked.

While the Asiatic general, therefore, believed himself secure in this position, the Roman continued to observe him from the post he had fortified at a little distance ; and was told by some natives of the country, that the hill which Archelaus had occupied might be ascended in his rear, and that a body of men might be conducted safely and unobserved to the summit. Upon this information Sylla formed his plan to engage the enemy, sent a powerful detachment with proper guides to seize on the heights above their encampment, while he himself

advanced with his main body in front of their station, and by this means diverted their attention from what was passing on the opposite quarter, while he himself was prepared to profit by any confusion which might be occasioned by an alarm from thence.

The unexpected appearance of an enemy in the rear, produced the alarm that was intended in the Asiatic camp. The impetuous descent they were ordered to make from the hill, drove all in confusion before them. The rear fell down on the front. A great uproar and tumult arose in every part. In this critical moment, Sylla, with the main body, began his attack in front, and soon broke into the midst of enemies, who were altogether unprepared to receive him; or who being crowded in a narrow space, and mixed with little distinction of separate bodies, of officers or men, and, under the disadvantage of their ground, could neither resist nor retire. In the centre, numbers were trod under foot by those who pressed upon them from every side, and perished by violence or suffocation; or, while they endeavoured to open a way to escape, employed their swords against one another. Of an hundred and twenty thousand men, scarcely ten thousand could be assembled at Chalcis in Eubcea, the place to which Archelaus directed his flight. Of the Romans, at the end of the action, only fifteen men were missing, and of these two returned on the following day *.

Archelaus, even after this rout of his army, being still master at sea, drew supplies from Asia and from

* For this particular, Plutarch quotes the Memoirs of Sylla himself.

the neighbouring islands ; and, being secure in his retreat in Eubœa, made frequent descents on the neighbouring coasts. While Sylla endeavoured to cover the lands of Boeotia and Attica from these incursions, Mithridates made great efforts to replace his army in that country ; and in a little time had transported thither eighty thousand fresh troops under Dorilaus, to whom Archelaus joined himself with those he had saved from the late disaster. The new army of Mithridates, consisting chiefly of cavalry, was greatly favoured by the nature of the ground in Boeotia, which was flat, and abounding in forage. Sylla, though inclined to keep the heights on which he was least exposed to the enemy's cavalry, was, in order to cover the country from which he drew his subsistence, obliged to descend to the plains in the neighbourhood of Orchomenos. There he took post among the marshes, and endeavoured to fortify himself with ditches against the enemy's horse. While his works were yet unfinished, being attacked by the Asiatic cavalry, not only the labourers, but the troops that were placed under arms to cover the workmen, were seized with a panic, and fled. Sylla, having for some time in vain endeavoured to rally them, laid hold of an ensign, and rushed in despair on the enemy. " To me," he said, " it is glorious to fall in this place ; but for you, if you are asked where you deserted your leader, you may say at Orchomenos." Numbers who heard this reproach, returned to the charge with their general ; and wherever they presented themselves, stopped the career of the enemy, and put them to flight. The Roman

arity at length recovered itself in every part of the field ; and Sylla, remounting his horse, took the full advantage of the change of his fortune, pursued the enemy to their camp, and forced them to abandon it with great slaughter.

After the loss of this second army, Mithridates appears to have despaired of his affairs in Greece : he suffered Sylla to enter into quiet possession of his winter quarters in Thessaly, and authorised Archelaus to treat of peace.

Both parties were equally inclined to a conference; the king of Pontus urged by his losses, and the Roman Proconsul by the state of affairs in Italy. There, though commanding in Greece by authority from the Roman Senate, Sylla had been degraded, and declared a public enemy, by a formal sentence or resolution of the people at Rome. An officer had been sent from Italy to supersede him ; and a Roman army, independent of his orders, was actually employed in the province. Mithridates too, while he had sustained such losses in Greece, was pressed by the other army in Asia, under the command of Fimbria, who, with intentions equally hostile to Sylla as to Mithridates, advanced with a rapid pace, reduced several towns on the coast, and had lately made himself master of Pergamus, where the king himself had narrowly escaped falling into his hands. In these circumstances, a treaty was equally seasonable to both.

Sylla had been absent from Rome about two years, during which time, having no supplies from thence, he had supported the war by the contributions which

he had raised in Greece, Ætolia, and Thessaly, and with the money he had coined from the plate and treasure of the Grecian temples*. The republic, in the mean time, had been in the possession of his personal enemies, and the authority of the Senate was, in a great measure, suppressed. For soon after his departure from Rome, his antagonist Cinna, notwithstanding the engagements he had come under, revived the project of keeping the more respectable citizens in subjection, under pretence of regulations enacted by the collective body of the people.

The designation of a party now in power was the same with that which had distinguished the followers of Tiberius and Caius Gracchus ; but the object was changed, and that which was termed the popular faction was itself differently composed. Formerly this faction consisted of the populace of Rome and of the poorer citizens, opposed to the noble and the rich. The objects for which they at that time contended, were the distribution of corn, new settlements, or the division of lands. At present the parties consisted of the inhabitants of the country towns lately admitted, or still claiming to be admitted, on the rolls of the people on one side, and of the Senate and ancient citizens on the other. The object to which the former aspired, was a full and equal participation in all the powers that belonged to the Roman people. They were far from being satisfied with the manner of their enrolment into a few particular Tribes, and laid claim to be admitted with-

* Plutarch, in *Sylla et Lucullo*.

out distinction among the ancient citizens, and like them to have consideration and power proportioned to their numbers. In this they were supported by Cinna, who made a motion in their favour in the assembly of the people, and at the same time proposed to recall Marius and the other exiles of that party from their banishment. The Consul Octavius, with the majority of the Senate and ancient citizens, opposed their designs ; but Cinna was likely to have a powerful support in the friends of the exiles, and in the new citizens, who flocked from every town in the country. On the day appointed for the discussion of this question, his partisans, in great numbers, took possession of the place of assembly, and were observed to be armed with daggers or short swords. Octavius was attended at his own house by a numerous company of the ancient citizens, who were armed in the same manner, and waited to take such measures as the necessity of the case might require. Being told that the Tribunes who had forbidden the question were violently attacked, and likely to be driven from the place ; these adherents of the Senate came forth into the streets, and drove their antagonists, with some bloodshed, through the gates of the city. Cinna endeavouring to make head against his colleague, invited the slaves, under a promise of liberty, to his standard. But finding it impossible within a city, that was occupied by his opponents, to withstand their force, he withdrew to the country towns, and solicited supplies from thence. He passed through Tibur and Præneste to Nola, and openly implored the inhabitants to aid him against

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* Plutarch, in *Sylla et Lucullo*.

out distinction among the ancient citizens, and like them to have consideration and power proportioned to their numbers. In this they were supported by Cinna, who made a motion in their favour in the assembly of the people, and at the same time proposed to recall Marius and the other exiles of that party from their banishment. The Consul Octavius, with the majority of the Senate and ancient citizens, opposed their designs ; but Cinna was likely to have a powerful support in the friends of the exiles, and in the new citizens, who flocked from every town in the country. On the day appointed for the discussion of this question, his partisans, in great numbers, took possession of the place of assembly, and were observed to be armed with daggers or short swords. Octavius was attended at his own house by a numerous company of the ancient citizens, who were armed in the same manner, and waited to take such measures as the necessity of the case might require. Being told that the Tribunes who had forbidden the question were violently attacked, and likely to be driven from the place ; these adherents of the Senate came forth into the streets, and drove their antagonists, with some bloodshed, through the gates of the city. Cinna endeavouring to make head against his colleague, invited the slaves, under a promise of liberty, to his standard. But finding it impossible within a city, that was occupied by his opponents, to withstand their force, he withdrew to the country towns, and solicited supplies from thence. He passed through Tibur and Præneste to Nola, and openly implored the inhabitants to aid him against

their common enemies. On this occasion he was attended by Sertorius, and by some other Senators who had embarked in the same ruinous faction. Their solicitations at any other time might, perhaps, have been fruitless; but now, to the misfortune of the republic, a number of armies were still kept on foot in Italy, to finish the remains of the social war. Ch. Strabo commanded one army in Umbria, Metellus another on the confines of Lucania and Samnium, and Appius Claudius a third in Campania. These armies consisted chiefly of indigent citizens, become soldiers of fortune, very much at the disposal of the leaders in whose name they had been levied, to whom, as usual, they had sworn the military oath, and on whom they depended for the settlements and rewards which they were taught to expect at the end of their services. Such men were inclined to take part in the cause of any faction that was likely, by the expulsion and forfeiture of any one class of the citizens, to make way for preferments and fortunes to those who were employed to expel them.

Cinna distrusted Pompey and Metellus; but hoping for a better reception from Appius Claudius, he repaired to the camp of this general, and had the address to gain the troops who were under his command.

Meantime the Senate, without entering into any particular discussion of the guilt which Cinna had incurred in the late tumult at Roine, found that, by having deserted his station, he had actually divested himself of his office as Consul, and they obtained the election of

Octavian
and Meru-
la.

L. Cornelius Merula, to supply the vacancy which his desertion had occasioned.

Marius, being informed that one of the armies in Italy, with a Roman Consul at its head, was prepared to support him, made haste from his exile in Africa : he landed in Tuscany, was joined by numbers, and on his approach to Rome had an offer of being vested with the ensigns of Proconsul. But intending to move commiseration or pity, he declined every privilege of a Roman citizen, until the sentence of attainder or banishment, which had been pronounced against him, should be formally reversed. He accordingly presented himself to the people as he passed, in the manner practised by suppliants, with a mean habit, and in the ghastly figure to which he was reduced by the distress of his exile ; but with a countenance, says his historian, which, being naturally stern, now rather moved terror than pity *. He implored the protection of the country-towns, in whose cause he pretended to have suffered, and whose interests were now embarked on the same bottom with his own. He had many partisans among those who had composed the legions which formerly served under his own orders, had reputation and authority, and soon assembled a considerable force, with which, in concert with Cinna, Sertorius and Carbo, he advanced towards Rome,

These adventurers invested the city in three separate divisions. Cinna and Carbo lay before it : On the Appian way, Sertorius took post on the ri-

* Plutarch. in Mario.

ver above, and Marius below it. The last, to prevent supplies from the sea, made himself master of the port of Ostia : Sertorius had sent a detachment to Ariminum, to prevent any relief from the side of Gaul.

In this extremity the Senate applied to Metellus, requesting that he would make any possible accommodation with such of the Italian allies as were still under arms, and hasten to the relief of the city. The delays which he made in the execution of these orders enabled Cinna and Marius to prevent him in gaining the allies, who at this time had it in their option to accept the privileges they claimed from either party ; and, having chosen to join themselves with the popular faction, they threw their weight into that scale.

Metellus, however, advanced into Latium ; and, being joined by the Consul Octavius, took post on the Alban Hill. From thence they found that the troops, being inclined to favour their enemies, deserted apace. The commander himself being left with a few attendants, despaired of the cause, and withdrew into Africa. Octavius found means to enter the city, and resumed his station.

The army lately commanded by Pompeius Strabo was now deprived of its general, he having been killed by lightning in his camp. And the Senate was not inclined to repose any confidence in the men he had commanded. He himself had some time hesitated between the parties ; and the troops, at his death, were still supposed undecided in their choice. With so uncertain a prospect of support,

the Senate thinking it more safe to capitulate with Cinna and Marius, than to remain exposed to the horrors of a storm ; offered to reinstate Cinna in the office of Consul, and to restore Marius, with the other exiles, to their condition of Roman citizens ; only stipulating that they would spare the blood of their opponents, or proceed in their complaints against them according to the laws of the commonwealth.

While this treaty was in dependence, Marius, affecting the modesty of a person whom the law, according to his late sentence of banishment, had disqualified to take any part in the state, observed a sullen and obstinate silence. Even when the terms were settled, and the gates were laid open to himself and his followers, he refused to enter until the attainer under which he lay should be taken off, and until he were replaced in his condition as a citizen of Rome. The people were accordingly assembled to repeal their former decree. But Marius, in the character of a practised soldier, proposing to take his enemies by surprise, did not wait for the completion of the ceremony he himself had exacted. While the ballots were collecting, he entered the city with a band of armed men, whom he instantly employed in taking vengeance on those who had concurred in the late measures against him. Although the gates, by his orders, were secured, many of the Senators found means to withdraw. The house of Sylla was demolished ; such as were reputed his friends were slain ; his wife and his children narrowly escaped. Among the signals by which

Marius directed the execution of particular persons, it was understood that if he did not return a salute which was offered him, this was to be considered as a warrant for immediate death. In compliance with these instructions, some citizens of note were laid dead at his feet. And as the meanest retainers of his party had their resentments as well as himself, and took this opportunity to indulge their passions, the city resembled a place that was taken by storm, and every quarter resounded with the cries of rage or of terror; a horrid scene, which continued without intermission during five days and five nights. The Consul Octavius was murdered in his robes of office, and in presence of his lictors; two Senators of the name of Cæsar, Caius and Lucius; two of the name of Crassus, the father and the son, attempting to escape, but likely to be taken, fell by their own hands; Attilius Serranus, Publius Lentulus, C. Numitorius, and M. Bæbius, being murdered by persons who bore them a particular hatred, the bodies were fastened on a hook, and dragged by a rope through the streets; Marcus Antonius, one of the first Roman Senators who had betaken himself entirely or chiefly to the practice of a pleader at the bar and in the Senate, from which he is known by the name of the Orator, being discovered in a place of concealment, was killed by assassins sent for the purpose. The heads of the others were exposed on the rostra; that of Antonius was placed on the table of Marius, to whom the sight, from peculiar motives of envy or resentment, was singularly gratifying. Cætulus, once the colleague of Marius himself in the

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The horrors of this massacre are to be imputed chiefly, if not entirely to the fury of Marius, acting from the original asperity of his own mind, stung with animosity to every distinction of birth, education, or manners, which marked the superior order of citizens, and now wrought up by recent disappointments of ambition, and by his sufferings in ex-

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Cinna himself, though equally bent with his associate on measures to recover his power, and to restore his party, but having fewer resentments to gratify, was shocked with these enormities, and in-

terposed his authority to restrain them. The mandates of office being insufficient for this purpose, he had recourse to military force, and driving all who were found in the perpetration of such crimes into places inclosed, or into the recess of squares or narrow streets, had them in great numbers, without inquiry or distinction, put to the sword.

Some degree of respite or calm being obtained by these means, it was proposed to resume the appearance of regular government, as far as the times could allow. The Consulate of Cinna was accordingly restored ; and Marius, though without any form of election, associated in the office. In such a season of terror, there could not be any risk to the party in recurring to the ordinary suffrage of the people ; but an election was deemed unnecessary, and the ensigns of office were assumed without it.

Marius, though now preceded in form by the Lictors, could not return to the habits of a legal magistrate. The objects of his resentment were still sacrificed to his fury, without any trial, and under his own inspection. But, in the midst of cries which were occasioned by these executions, the name of Sylla, and the fame of his victories in Greece, gave continual presage of a retribution, no way likely to fall short of the provocation which was now given in the subversion of public order at Rome. And although the principal author of these wrongs was not destined to abide the future consequences in his own person, the immediate effect to him was sufficiently awful. Even the obdurate soul of Marius, unable to endure such a load of guilt and re-

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Alarmed by the report of such threats, Cinna took measures to strengthen his own party ; assumed, upon the death of Marius, Valerius Flaccus as his colleague in the office of Consul ; and, having assigned him the command in Asia, with two additional legions, trusted, that with this force he might obtain possession of the province, and furnish to Sylla sufficient occupation beyond the limits of Italy.

But Flaccus, upon his arrival in Thessaly, was deserted by part of the army he was destined to employ ; and passing through Macedonia in his route to Asia with the remainder, a dispute arose between himself and his lieutenant Fimbria, which ended in the murder of the Consul, and in the succession of Fimbria to the command. So little deference or respect did soldiers of fortune pay, in the disorder

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Upon a message from Archelaus, Sylla readily agreed to an interview in the island of Delos ; and here being told, in the name of Mithridates, that he should have money, troops, and shipping to make a descent upon Italy, provided he would enter into a confederacy with the king of Pontus, or join him in a war with the Romans, by whom he himself was now proscribed, Sylla, in his turn, proposed to Archelaus to desert Mithridates, to deliver up the fleet and army which was under his command, and to rely for protection and reward on the faith of the Romans. They will speedily seat you, he said, on the throne of Pontus. Archelaus having rejected this proposal with horror, " And you," says Sylla, " the slave, or (if you prefer that title) the friend of a barbarous tyrant, will not betray your trust, and yet, to me, have the presumption to propose an

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master agreed to all the articles proposed, except to that which related to the cession of Paphlagonia ; and at the same time made a merit of the preference he had given to Sylla in this treaty, as he might have obtained more favourable terms from Fimbria. “ That is a traitor,” said Sylla, “ whom I shall “ speedily punish for his crimes. As for your mas- “ ter, I shall know, upon my descent in Asia, whe- “ ther he chooses to have peace or war.”

Being arrived at the Hellespont, he was joined by Lucullus with a number of vessels, which enabled him to pass the strait. Here he was met by another message from Mithridates, desiring a personal interview ; which was accordingly held in the presence of both armies, and at which the king of Pontus, af- ter some expostulations, agreed to all the conditions already mentioned. In this he probably acted from policy, as well as from the necessity he felt in the present state of his affairs. He still hoped, that in consequence of this treaty, he might turn the arms of Sylla against the Romans, and trusted that the peace he obtained for himself in Asia was to be the beginning of a war in Italy, more likely to distress his enemies than any efforts he himself could make against them. With this reasonable prospect he re- tired into his own kingdom of Pontus ; and there, strengthening himself by alliances and the acquisi- tion of territory on the northern coasts of the Euxine, he prepared to take advantage of future emergen- cies, and to profit by the state of confusion into which the affairs of the Romans were likely to fall.

Sylla having brought the Mithridatic war to an issue so honourable for himself, and having every where gratified his army with the spoils of their enemies, being possessed of a considerable sum of money and a numerous fleet, and being secure of the attachment of the legions, who had experienced his liberality, and rested their hopes in future on the success of his enterprise, prepared to take vengeance on his enemies, and those of the republic in Italy. He proceeded, however, with great deliberation and caution ; and, as if the state at Rome wers in perfect tranquillity, staid to reduce the army of Fimbria, to resettle the Roman province, and to effect the restoration of the allies, Nicomedes and Ario-barzanes, to their respective kingdoms of Cappadocia and Bithynia.

Fimbria being required by Sylla to resign a command which he had illegally usurped, retorted the charge of usurpation, and treated Sylla himself as an outlaw : but upon the approach of this general, being deserted by his army, he fled to Pergamus, and there had an end put to his life by the hands of a slave, of whom he exacted this service. To punish the province of Asia for its defection to Mithridates, Sylla obliged the inhabitants to pay down a sum equal to five years' ordinary tax. He sent Curio to replace on their thrones the kings of Cappadocia and Bithynia, who had persevered in their alliance with Rome, and sent an account of these particulars to the Senate, without taking any notice of the edict by which he himself had been stripped of his com-

mand, and declared an enemy *. Before he set sail, however, for Italy, he thought proper to transmit a memorial, setting forth his services and his wrongs, as well as the injury done to many Senators who had taken refuge in his camp, and concluding with menaces of justice against his own enemies and those of the republic, but assuring the citizens in general of protection and security. This paper, being read in the Senate, appeared to alarm many of the members : even those who had least to fear from the threats it contained, wished for expedients to reconcile the parties, and to avert the evils which the republic must suffer from their repeated contentions. A soothing answer was accordingly sent to the memorial of Sylla, and earnest entreaties were made to Cinna, that he would suspend his levies until a reply could be obtained from his antagonist. But Cinna,

U. C. 669. in contempt of these pacific intentions,
L. Corne-
lius Cinna took measures to sustain the war ; divided
4to, Cn.
Papirius the fasces with Cn. Papirius Carbo, whom,
Carbo. without any form of election, he assumed
for his colleague in the Consulate ; and, in the partition of provinces, retained for himself the administration in Italy, while he assigned to Carbo the command in the neighbouring Gaul. These titular magistrates, with all the adherents of their faction, betook themselves in haste to the forming of troops, and securing the fidelity of the towns within the several divisions which they had received in charge.

* Appian. in Bell. Mithridat. Plutarch. in Syll.

Carbo exacted hostages for their good behaviour from all the towns in his district ; but as he had not any regular authority from the Senate for this measure, he found himself unable to give it effect. To Castricius, the chief magistrate of Placentia, a person of great age, who refused to comply with his orders, “ Have not I your life in my power ? ” he said. “ And have not I,” said the other, “ already had life enough * ? ”

Cinna, however, having mustered a considerable force, and intending to make head against Sylla in Thessaly, through which he was expected to pass in his way to Italy, was about to transport his army thither ; when the troops being averse to embark, he himself, endeavouring to force them, was killed in a mutiny. A general disorder and anarchy pervaded the party. The election of a successor to Cinna was twice interrupted by supposed unfavourable presages, and Carbo remained sole Consul.

At this time an answer was received from Sylla to the proposals made by the Senate towards a reconciliation of parties. In this, he declared, “ That he never could return into friendship with persons guilty of so many and such enormous crimes. If the Roman people, however, were pleased to grant an indemnity, he would not interpose, but should venture to affirm, that such of the citizens as chose, in the present disorders, to take refuge in his camp, would find themselves safer than in that of his enemy’s.” He had embarked his ar-

* Val. Max. lib. vi, c. 2.

my at Ephesus, and in three days reached the Pyrenus, the port of Athens. Here he was taken ill of the gout, and was advised to use the hot baths at Adipstus; at which he accordingly passed some time, and with singular force of mind, as if divested of all public or private distress, amused himself, in his usual way, with persons of humour, and ordinary company. His fleet, in the meantime, consisting of twelve hundred ships, coasted round the Peloponnesus, and took on board the army which had marched by Thessaly to Dyrrachium. Being apprehensive that some part of the legions, upon landing in Italy, and with so near a prospect of returning to their homes, might desert, or, trusting to their consequence in a civil war, might become disorderly and distress the inhabitants, he exacted a special oath, by which every man bound himself, upon his arrival in Italy, to abide by his colours, and to observe the strictest order in his march through the country. The troops, wishing to remove all the remains of a distrust which had suggested this precaution, not only took the oath, but made voluntary offer of a contribution towards the support of the war; and Sylla, without accepting the aid which was proffered to him, set sail with the additional confidence which this proof of attachment in the army inspired.

He had, according to Appian, five Roman legions, with six thousand Italian horse, and considerable levies from Macedonia and Greece, amounting, in all, to about sixty thousand men. With this force he landed in Italy, in the face of many different ar-

mies, each of them equal or superior in number to his own.

Those now at the head of the commonwealth were
U. C. 670. supposed to have on foot, at different sta-
L. Corn. tions, above two hundred thousand men.
Scipio, C. L. Cornelius Scipio and C. Junius Nor-
Jun. Nor- banus. banus, who were leaders of the party, be-
ing in possession of the capital and of the place of
election, were named for Consuls. Norbanus, as act-
ing for the republic, commanded a great army in
Apulia; Scipio, another on the confines of Campania.
Sertorius, young Marius, with Carbo, in the
quality of Proconsul, and others, (as Plutarch quotes
from the memoirs of Sylla,) to the number of fifteen
commanders, had each of them armies, amounting
in all to four hundred and fifty cohorts *; but of
these different bodies none attempted to dispute the
landing of Sylla, nor, for some days, to interrupt his
march. He accordingly continued to advance as in
a friendly country, and in the midst of profound
peace. The inhabitants of Italy, considering the
superior class of the people at Rome, in whose
cause now Sylla appeared, as averse to the claim
they had made of being promiscuously enrolled in
the Tribes, were likely to oppose him, and to favour
the faction which had for some time prevailed in the
state. To allay their fears, or to prevent their ta-
king an active part against himself, Sylla sum-
moned the leading men of the country towns as he pass-
ed, and gave them assurances that he would con-

* About 225,000 men.

firm the grants which had been made to them, if they did not forfeit these and every other title to favour, by abetting the faction which had subverted the government.

On his march he was joined by Metellus Pius, who, as has been observed, after a fruitless attempt, in conjunction with the Consul Octavius, to cover Rome from the attack of the elder Marius and Cinna, had withdrawn to Africa; and being forced from thence by Fabius, returned into Italy. This officer being in Liguria, where he still retained the ensigns of Proconsul, had some forces on foot, and was sustaining the hopes of his party, when so great a change was made in their favour as was produced by the arrival of an army from Greece.

Sylla was likewise, about the same time, joined by Cneius Pompeius, son to the late Consul Pompeius Strabo, who, though too young for any formal commission, had assembled a considerable body of men, and already made himself of importance in the present struggle. Being now only about nineteen years of age, he was remarked for engaging manners, and a manly aspect, which procured him a general favour and an uncommon degree of respect*. This distinction being unsought for, was possibly felt by him as a birth-right, or gave him an early impression of that superiority to his fellow-citizens which he continued to bear through the whole of his life. He had served in those legions with which Cinna intended to have carried the war against Syl-

* Plutarch. in Mario.

la into Asia or Greece ; but, being averse to the party, had withdrawn when that army was about to embark, and disappearing suddenly, was supposed to have been murdered by the order of Cinna, a suspicion, which, among other circumstances, incited his soldiers to the mutiny in which their general was killed. Sylla appears himself to have been won by the promising aspect of the young Pompey, and received him with distinguished marks of regard.

Numbers of the Senate and Nobles, who had hitherto remained exposed at Rome to the insults of their enemies, now repaired to the camp of Sylla. The Consul Norbanus, being joined by young Marius, lay at Canusium. Sylla, while he was preparing to attack them, sent an officer with overtures of peace ; these they rejected with marks of contempt. This circumstance had an effect which Sylla perhaps foresaw or intended. It roused the indignation of his army, and, in the action which followed, had some effect in obtaining a victory, in which six thousand * of the enemy were killed, with the loss of only seventy men to himself.

Norbanus, after this defeat, retreated to Capua ; and, being covered by the walls of that place, waited the arrival of Scipio, who intended to join him with the army under his command. Sylla marched to Tianum to prevent their junction ; and, on the approach of Scipio, proposed to negotiate. The leaders, with a few attendants, met between the two armies, and were nearly agreed upon terms of

* Plutarch. in Syll. edit. Lond. p. 63.

peace ; but Scipio delayed his final consent until he should consult with Norbanus at Capua. Sertorius was accordingly dispatched to inform Norbanus of what had passed, and hostilities were to be suspended until his return ; but this messenger, probably averse to the treaty, broke the truce, by seizing a post at Suessa which had been occupied by Sylla ; and the negotiation had no other effect than that of giving the troops of both armies, as well as their leaders, an opportunity of conferring together ; a circumstance which, in civil wars, is always dangerous to one or other of the parties. In this case the popularity of Sylla prevailed ; and the soldiers of his army, boasting of the wealth which they had acquired under their general, infected their enemies, and seduced them to desert their leader. Scipio was left almost alone in his camp ; but Sylla, receiving the troops who deserted to him, made no attempt to seize their commander, suffered him to escape, and, with the accession of strength he had acquired by the junction of this army, continued his march towards Rome. Norbanus at the same time evacuated Capua, and, by forced marches in a different route, arrived at the city before him.

About this time, Sertorius, who, before the war broke out, had, in the distribution of provinces, been appointed Proprætor of Spain, despairing of affairs in Italy, in which probably he was not sufficiently consulted, repaired to his province, and determined to try what the skill of a Roman leader could effect at the head of the warlike natives of that country.

The chiefs of the Marian party, who remained in Italy, made efforts to collect all the forces they could at Rome. Carbo, upon hearing that the army of Scipio had been seduced to desert their leader, said, “ We have to do with a lion and a fox, of “ which the fox is probably the more dangerous “ enemy of the two.”

Norbanus, soon after his arrival at Rome, procured an edict of the people, by which Metellus, and the others who had joined their forces with Sylla, were declared enemies to their country. About the same time a fire broke out in the Capitol, and the buildings were burnt to the ground. Various suspicions were entertained of the cause; but as no party had any interest in this event, it was probably accidental, and served only to agitate the minds of the people, prone to superstition, and apt to find in every calamity alarming presages, as well as present distress.

The remainder of the season was spent by both parties in collecting their forces from every quarter of Italy; and the term of the Consuls in office being U. C. 671. nearly expired, Carbo procured his own C. Marius, nomination to succeed them, and inscribed the name of the young Marius, scarce- Cn. Pap. Carbo. ly twenty years of age, as his colleague. This person is by some said to have been the nephew, by others the adopted son, of the late celebrated C. Marius, whose name had so long been terrible to the enemies, and at length not less so to the friends, of Rome.

At this time the Senate consented to have the plate and ornaments of the temples coined for the

pay of the supposed consular armies. The majority of its members, however, notwithstanding this act of obsequiousness, were believed to favour the opposite party, and not fit to be trusted in case the city were attacked. In consequence of this suspicion, the whole being assembled together by orders of the Prætors, Damasippus and Brutus, numbers were taken aside and put to death ; of those destined to die, Quintus Mucius Scævola, Pontifex Maximus, flying to the temple in which he was accustomed to discharge his sacred office, was killed in the porch.

The military operations of the following spring began with an obstinate fight between two considerable armies, one commanded by Metellus, the other by Carinas. The latter being defeated with great loss, Carbo hastened to the scene of action, in order to cover the remains of the vanquished party.

In the mean time Sylla, being encamped at Setia, and having intelligence that the young Marius was advancing against him, put his army in motion to meet him, forced him back to Sacriportum, near to Præneste, where an action soon after ensued, in which Marius was defeated.

The routed army having fled in disorder to Præneste, the first who arrived were received into the place ; but as it was apprehended that the enemy also might enter in the tumult, the gates were shut, and many, being excluded, were slaughtered under the ramparts. Marius himself escaped, by means of a rope which was let down from the battlements, and by which he was enabled to scale the walls.

In consequence of this victory, Sylla invested Præ-

neste; and as great numbers were thus suddenly cooped up in a town, which was not prepared to subsist them, he had an immediate prospect of seeing them reduced to the necessity of surrendering at discretion. Committing the charge of a blockade for this purpose to Lucretius Offella, he himself, with part of the army, proceeded to Rome. Metellus, in a second action, had defeated the army of Carbo, and Pompey, another of the same party near Sena; and thus the forces of Sylla being victorious in every part of Italy, the city was prepared to receive their leader as soon as he should appear at the gates. Upon his approach the partisans of the opposite faction withdrew, and left him master of the capital.

Sylla having posted his army in the field of Mars, he himself entered the city, and calling an assembly of the people, delivered an harangue, in which he imputed the disorder of the times to the injustice and cruelty of a few factious men, who had overthrown the government, and sacrificed the best blood of the republic to their ambition and to their personal resentments. He exhorted the well-disposed to be of good courage, and assured them that they should soon have their freedom restored. In the mean time, he gratified his own army with the spoils of the opposite party, declaring the effects of all those to be forfeited who had been accessory to the crimes lately committed against the State. After this first specimen of his policy in the city, leaving a sufficient force to execute his orders, he hastened to Clusium, where Carbo, being joined by a considerable reinforcement from Spain, was preparing to recover the

metropolis, or to relieve his colleague Marius, who was reduced to great distress in Præneste.

The events which followed the arrival and operations of Sylla in Tuscany were various, but for the most part unfavourable to Carbo, whose force, by desertion and the sword, was declining apace. The issue of the war seemed to depend on the fate of Præneste, and the whole force of the party was therefore directed to the relief of that place. The Lucanians and Samnites, who had espoused the cause of the late Caius Marius, and who, by his favour, had obtained the promiscuous enrolment to which they aspired, apprehending immediate ruin to themselves, in the suppression of a party by whom alone they had been favoured, determined to make one great effort for the relief of Præneste.

They were joined in Latium by a large detachment sent by Carbo, under Carinas and Marcius, and made an attempt to force the lines of the besiegers at Præneste, and to open the blockade of that place. But having failed in this design, they turned, with desperation, on the city of Rome itself, which was but slightly guarded by a small detachment which had been left for that purpose. Sylla being informed of their intention, with hasty marches returned to the city, and found the enemy already in possession of the suburbs, and preparing to force the gates.

It was about four in the afternoon when he arrived, after a long march. Some of his officers proposed, that the troops, being fatigued, should have a little time to repose themselves; and that, for this purpose, they should remain under cover of the walls

until the following day. Sylla, however, proposing, rather by his unexpected presence, and by coming to action at an unusual hour, to surprise the enemy, gave orders for an immediate attack. The event for some time was doubtful ; the wing that was led by himself was repulsed, or did not make the impression expected ; but the other wing under Crassus had a better fortune, put the enemy to flight, and drove them to Antemnæ.

The action, though thus various in the different parts of it, became, in the event, completely decisive. Eighty thousand of the Marian party were killed in their flight, and eight thousand taken. Carbo, in despair of the cause, fled into Sicily. The troops who were blocked up in Praeneste, having no longer any hopes of relief, surrendered themselves, and the whole party was dispersed or cut off. The young Marius attempted to escape by the galleries of a mine, of which there were many under the place * ; and being prevented, killed himself. His head was carried to Sylla, and by his order exposed in the market-place. "That boy," he said, "should have "learnt to row before he attempted to steer!"

The leader of the victorious party having now removed all impediments from his way, proceeded to retaliate on the authors of the late disorders with a force equal to the violence with which it had been provoked. About six or eight thousand of those who were supposed to have been the busiest instruments of the late usurpations and murders, being ta-

* Vid. Strabo, lib. v, p. 239.

ken prisoners in the war, or surprised in the city, were, by his direction, shut up in the circus, and instantly put to death.

While this horrid scene was acting, he had assembled the Senate, at a little distance, in the temple of Bellona ; and as many of the members then present had either favoured, or at least tamely submitted to the late usurpation, he made them a speech on the state of the republic, in which he reproached them as accessory to the late disorders, and admonished them, for the future, to respect the legal government and constitution of their country. In the midst of these admonitions, the cries of those who were slaughtered in the circus reaching their ears, the assembly was greatly alarmed, and many of the members started from their seats. Sylla, with a countenance stern, but undisturbed, checked them as for an instance of levity. “ Be composed,” he said, “ and attend to the business for which you are called. What you hear are no more than the cries of a few wretches, who are suffering the punishment due to their crimes.” From this interruption he resumed his subject, and continued speaking till the massacre of these unhappy victims was completed.

In a harangue which he afterwards delivered to the people, he spoke of his own services to the republic, and of the misdemeanour of others, in terms that struck all who heard him with terror. “ The republic,” he said, (if his opinion were followed), “ should be purged ; but whether it were so or no, the injuries done to himself and his friends should be punished.” He accordingly ordered military

execution against every person who had been accessory to the late massacres and usurpations ; and while the sword was yet reeking in his hands, passed great part of his time, as usual, in mirth and dissipation with men of humorous and singular characters. He deigned not even to inquire into the abuses that were committed in the execution of his general plan. Many of the disorders which took place in the former massacre were accordingly renewed. The persons who were employed in it, frequently indulged their own private resentment and their avarice in the choice of victims. Among these, Cataline, then a young man, had joined the victorious party ; and plunged, with a singular impetuosity, into the midst of a storm which now overwhelmed a part of the city. He is said, among other persons to whom he bore an aversion, or whose effects he intended to seize, to have murdered his own brother, with strange circumstances of cruelty and horror.

While these dreadful murders, though mixed with examples of a just execution, were perpetrated, a young man, C. Metellus, had the courage to address himself to Sylla in the Senate, and desired he would make known the extent of his design, and how far these executions were to be carried ? " We intercede " not," he said, " for the condemned ; we only en- " treat that you would relieve out of this dreadful " state of uncertainty all those whom in reality you " mean to spare."

Sylla, without being offended at this freedom, published a list of those he had doomed to destruction, offering a reward of two talents for the head of each,

and denouncing severe penalties against every person who should harbour or conceal them. Hence arose the practice of publishing lists of the persons to be massacred; which, under the odious name of *Proscription*, was afterwards imitated with such fatal effects in the subsequent convulsions of the state.

The present proscription, although it promised some security to all who were not comprehended in the fatal list, opened a scene, in some respects more dreadful than that which had been formerly acted in this massacre. By the promised reward, the hands of servants were hired against their masters, and even those of children against their parents. The mercenary of every denomination were encouraged, by a great premium, to commit what before only the executioners of public justice thought themselves entitled to perform; and there followed a scene, in which human nature had full scope to exert all the evil of which it is susceptible, treachery, ingratitude, distrust, malice, and revenge; and would have retained no claim to our esteem or commiseration, if its character had not been redeemed by contrary instances of fidelity, generosity, and courage, displayed by those who, to preserve their friends and benefactors, or even to preserve mere objects of pity, who took refuge under their protection, risked all the dangers with which the proscribed themselves were threatened.

In consequence of these measures, about five thousand persons of consideration were put to death, among whom were reckoned forty Senators, and sixteen hundred of the Equestrian order.

From these beginnings the Romans had reason to apprehend a tyranny more sanguinary perhaps than any that ever afflicted mankind. “ If in the field “ you slay all who are found in arms against you,” said Catulus *, “ and in the city you slay even the “ unarmed ; over whom do you propose to reign ?”

These reproaches were by Sylla received as jests ; and the freedom and ease of his manners, as well as the professions he made of regard to the commonwealth, were imputed to insensibility, or to a barbarous dissimulation, which rendered his character more odious, and the prospect of his future intentions more terrifying.

In comparing the present with the late usurpation and massacre, men recollect, that Marius from his infancy had been of a severe and an inexorable temper ; that his resentments were sanguinary, and even his frowns were deadly ; but that his cruelties were the effect of real passions, and had the apology of not being perpetrated in cold blood ; that every person on whom he looked with indifference was safe ; and that even when he usurped the government of the state, as soon as his personal resentments were gratified, the sword in his hand became an innocent pageant, and the mere ensign or badge of his power. But that Sylla directed a massacre in the midst of composure and ease ; that as a private man he had been affable and pleasant, even noted for humanity and candour † ; that the change of his

* Probably the son of him who perished in the tyranny of Marius.

† Plutarch. in Sylla.

temper having commenced with his exaltation, there were no hopes that the issues of blood could be stopped while he was suffered to retain his power. His daring spirit, his address, his cunning, and his ascendant over the minds of men, rendered the prospect of a deliverance, if not desperate, extremely remote. The republic seemed to be extinguished for ever ; and if the rage for blood seemed to abate, after the first heats of execution were over, it appeared to be stayed only for want of victims, not from any principle of moderation, or sentiment of clemency.

Such was the aspect of affairs, and the grounds of terror conceived even by those who were innocent of the late disorders ; but to those who had reason to fear the resentment of the victor, the prospect was altogether desperate. Norbanus, having fled to Rhôdes, received at that place an account of the proscriptions, and, to avoid being delivered up, killed himself. Carbo, being in Sicily, endeavoured to make his escape from thence, but was apprehended by Pompey, and killed. Thus all the ordinary offices of state were vacated by the desertion or death of those who had filled or usurped them.

Sylla had hitherto acted as master, without any other title than that of the sword ; and it was now thought necessary to supply the defect. He retired from the city, that the Senate might assemble with the more appearance of freedom. To name an *Interrex* was the usual expedient for restoring the constitution ; and for proceeding to elections in a legal *form* after the usual time had elapsed, or when by

any accident the ordinary succession to office had been interrupted. Valerius Flaccus was named. To him Sylla gave intimation, that, to resettle the commonwealth, a Dictator, for an indefinite term, should be appointed, and made offer of his own services for this purpose. These intimations were received as commands. And Flaccus, having assembled the people, moved for an act to vest Sylla with the title of Dictator, giving him a discretionary power over the persons, fortunes, and lives of all the citizens.

No example of this kind had taken place for one hundred and twenty years preceding this date. In the former part of that period, the jealousy of the aristocracy, and in the latter part of it, the negative of the Tribunes, had always prevented a measure from which the parties severally apprehended some danger to themselves. It was now revived in the person of Sylla, with unusual solemnity, and ratified by an act of the people, in which they yielded up at once all their own claims to the sovereignty, and submitted to monarchy for an indefinite time. Sylla having named Valerius Flaccus for his lieutenant or commander of the horse, returned to the city, presenting a sight that was then unusual, a single person, preceded by four-and-twenty Lictors, armed with the axe and the rods ; and the Dictator being likewise attended by a numerous military guard, it was not doubted that these ensigns of magistracy were to be employed, not for parade, but for serious execution, and were speedily to be stained with the blood of many citizens, whom the sword had spa-

red. Unwilling to be troubled with ordinary affairs, and that the city, in all matters in which it was not necessary for himself to interpose, might still enjoy the benefit of its usual forms, he directed the people to assemble, and to fill up the customary lists of office.

Lucretius Offella, the officer who had commanded in the reduction of Præneste, presuming on his favour with the Dictator, and on his consequence with the army, offered himself for the Consulate. Being commanded by Sylla to desist, he still continued his canvass, and while he solicited votes in the street, was, by order of the Dictator, put to death. A tumult immediately arose; the Centurion, who executed this order against Offella, was seized, and attended by a great concourse of people, was carried before the Dictator. Sylla heard the complaint with composure, told the multitude who crowded around him, that Offella had been slain by his orders, and that the Centurion must therefore be released. He then dismissed them, with this homely but menacing apologue: “A countryman at his plough, feeling himself troubled with vermin, once and again made a halt to pick them off his jacket; but being molested a third time, he threw the jacket, with all its contents, into the fire. Beware,” he said, of the fire; provoke me not a third time *.” Such was the tone of a government, which, from this example, was likely to be fa-

* Appian. in Bell. Civil. lib. i. Plutarch, in Sylla.

tal to many who had concurred in establishing of it, as well as to those of the opposite party.

Sylla, soon after his elevation to the state of Dictator, proceeded to make his arrangements and to new-model the commonwealth. The army * appeared to have the first or preferable claim to his attention. He accordingly proposed to reward them by a gift of all the lands which had been forfeited by the adherents of the opposite party. Spoletum, Interamna, Praeneste, Fluentia, Nola, Sulmo, Volaterra, together with the countries of Samnium and Lucania, were depopulated to make way for the legions who had served under himself in the reduction of his enemies. In these new inhabitants of Italy, whose prosperity depended on his safety, he had a guard to his person, and a sure support to his power. By changing their condition from that of soldiers to landholders and peasants, he dispelled, at the same time, that dangerous cloud of military power, which he himself or his antagonists had raised over the commonwealth, and provided for the permanency of any re-formations he was to introduce into the civil establishment. The troops, from soldiers of fortune, became proprietors of land, and interested in the preservation of peace. In this manner, whatever may have been his intention in this arbitrary act of power, so cruel to the innocent sufferers, if there were any such, the measure had an immediate tendency to terminate the public confusion. Its future

* It appears that Livy reckoned forty-seven legions. Epitom. lib. lxxxix.

consequences, in pointing out to new armies, and to their ambitious leaders, a way to supplant their fellow-citizens in their property, and to practise usurpations more permanent than that of Sylla, were probably not then foreseen.

The next act of the Dictator appears more entirely calculated for the security of his own person. A body of ten thousand slaves, lately the property of persons involved in the ruin of the vanquished party, having their freedom and the right of citizens conferred on them, were enrolled promiscuously in all the Tribes ; and as the enfranchised slave took the name of the person from whom he received his freedom, these new citizens became an accession to the family of the Cornelii, and in every tumult were likely to be the sure partisans of Sylla, and the abettors of his power. They had received a freedom which was connected with the permanency of his government, and foresaw, that, if the leaders of the opposite party, in whose houses they had served, should be restored, they themselves must return into servitude ; and they accordingly became an additional security to the government which their patron was about to establish.

So far the Dictator seemed to intend the security of his own person, and the stability of his government ; but in all his subsequent institutions, there appears an intention to restore the constitution in its legislative and judicative departments, to provide a proper supply of officers for conducting the accumulated affairs of the commonwealth, to stop the source of former disorders, and to guard against the

growing depravity of the times, by extending and securing the execution of the laws. He began with filling up the rolls of the Senate which had been greatly reduced by the war, and by the sanguinary policy of the parties who had prevailed in their turns. He augmented the number of this body to five hundred ; taking the new members from the Equestrian order, but leaving the choice of them to the people.

The legislative power of the Senate, and the *Lex de ju-* cative power of its members, were restored. *dicile.* The law that was provided for the last of these purposes consisted of different clauses. By the first clause it was enacted, that none but Senators, or those who were entitled to give their opinion in the Senate *, should be put upon any jury or list of the judges †. By the second it was provided, that, of the judges so placed on the roll, the parties should not be allowed to challenge or reject above three.

By a third clause it was allowed, that judgment, in trials at law, should be given either by secret ballot, or openly, at the option of the defendant; and, by a separate regulation, that the nomination of officers to command in the provinces, with the title of Proconsul, should be committed to the Senate.

During the late tribunitian usurpation, the whole legislative and executive power had, under pretence

* All the officers of state, even before they were put upon the rolls, were entitled to speak in the Senate.

† Tacit. Annal. lib. xi. Cic. pro Cliento.

of vesting those prerogatives in the assembly of the Tribes, been seized by the Tribunes. But Sylla restored the ancient form of assembling the people by Centuries, and reduced the Tribunes to their defensive privilege of interposing by a negative against any act of oppression ; and he deprived them of their pretended right to propose laws, or to harangue the people. He moreover subjoined, that none but Senators could be elected into the office of Tribune ; and, to the end that no person of a factious ambition might choose this station, he procured it to be enacted, that no one who had borne the office of Tribune could afterwards be promoted into any other rank of the magistracy.

With respect to the offices of state, this new founder of the commonwealth revived the obsolete law which prohibited the re-election of any person into the Consulate, till after an interval of ten years ; and enacted, that none could be elected Consul till after he had been Quæstor, Ædile, and Prætor. He augmented the number of Prætors from six to eight ; that of Quæstors to twenty ; and, to guard against the disorders which had recently afflicted the republic, declared it to be treason for any Roman officer, without the authority of the Senate and people, to go beyond the limits of his own province, whether with or without an army, to make war, or to invade any foreign nation whatever.

He repealed the law of Domitius relating to the election of priests, and restored to the college the entire choice of their own members.

He made several additions to the penal code, by statutes against subornation, forgery, wilful fire, poisoning, rape, assault, extortion, and forcibly entering the house of a citizen ; with a statute, declaring it criminal to be found in places of public resort with a deadly weapon of any kind. To all these he added a sumptuary law, of which the tenor is not precisely known ; but it appears to have regulated the expense at ordinary * meals and at funerals, and to have likewise settled the price of provisions.

These laws were promulgated at certain intervals, and intermixed with the measures which were taken to restore the peace of the empire. In order to finish the remains of the civil war, Pompey had been sent into Sicily and Africa, and C. Annius Luscus into Spain. In this province, Sertorius had taken arms for the Marian faction ; but being attacked by the forces of Sylla, and ill supported at first by the natives of Spain, he fled into Africa. From thence, hearing that the Lusitanians were disposed to take arms against the reigning party at Rome, he repassed the sea, put himself at their head, and in this situation was able, for some years, to find occupation for the arms of the republic, and for its most experienced commanders.

Soon after the departure of Sylla from Asia, Murena, whom he had left to command in that province, found a pretence to renew the war with Mithridates ; and, having ventured to pass the Halys,

* Gellius, lib. ii, c. 24.

was defeated by that prince, and afterwards arraigned as having infringed the late treaty of peace. This accusation was favourably received at Rome, the conduct of Murena censured, and first A. Gabinius, and afterwards Minucius Thermus, were sent to supersede him in the province.

Meantime Sylla, with all his disdain of personal distinction, exhibited a triumph on account of his victories in Asia and Greece. Processions were continued for two days. On the first, he deposited in the treasury fifteen thousand pondo of gold *, and an hundred and fifteen thousand pondo of silver †; on the second day, thirteen thousand pondo of gold ‡, and seven thousand pondo of silver ||. There was nothing that had any reference to his victory in the civil war, except a numerous train of Senators, and other citizens of rank, who having resorted to his camp for protection, had been restored by him to their estates and their dignities, and now followed his chariot, calling him Father, and the deliverer of his country.

Upon the return of the election, Sylla was again chosen Consul, together with Q. Cæcilius Metellus. The latter was destined, at the expiration of his office, to command against Sertorius in Spain. Sylla himself still retained the dictatorial power, and was employed in promulgating some of the acts of which the chief have been mentioned.

* Reckoning the pondo at ten ounces, and L. 4 an ounce, this will make about L. 600,000.

† About L. 287,500. ‡ About L. 520,000.

About L. 140,000. Plin. lib. xxxiii, initio.

Pompey having, in the preceding year, by the death of Carbo, and the dispersion of his party, finished the remains of the civil war in Sicily, was now ordered by the Senate to transport his army into Africa. There Domitius, a leader of the opposite faction, had erected his standard, assembled some remains of the vanquished party, and received all the fugitives who crowded for refuge to his camp. Pompey accordingly being to depart from Sicily, left the command of that island to Memmius, and embarked his army, consisting of six legions, in two divisions ; of which one landed at Utica, the other in the bay of Carthage. Having soon after come to an engagement with Domitius, who had been joined by Jarbas, an African prince, he obtained a complete victory over their united forces, and pursuing his advantage, penetrated, without any resistance, into the kingdom of Numidia, which, though dependent on the Romans, had not yet been reduced to the form of a province.

The war being ended in this quarter, Sylla thought proper to supersede Pompey in the province, and ordered him to disband his army, reserving only one legion, with which he was to wait for his successor. The troops were greatly incensed at this order ; and thinking themselves equally entitled to settlements with the legions who were lately provided for in Italy, refused to lay down their arms. They earnestly entreated their general to embark for Rome, where they promised to make him master of the government. This young man, with a moderation which he continued to support in the height of his

ambition, withstood the temptation, and declared to the army, that, if they persisted in their purpose, he must certainly die by his own hands ; that he would not do violence to the government of his country, nor be the object or pretence of a civil war. From this conduct we have reason to conclude, that if in reality he had encouraged the mutiny, it was only that he might thus have the honour of reclaiming the soldiers, and of rejecting their offer. The ambition of this singular person, as will appear from many passages of his life, led him to aim at consideration more than power.

While Pompey was endeavouring to bring the troops to their duty, a report was carried to Rome, that he had actually revolted, and was preparing with his army to make a descent upon Italy. “ It appears to be my fate,” said Sylla, “ in my old age to fight with boys ;” and he was about to recall the veterans to his standard, when the truth was made known, and the part which Pompey had acted was properly represented. The merit of this young man on that occasion was the greater, that he himself was unwilling to disband the army before they should return to Italy to attend a triumph, which he hoped to obtain ; and that the resolution he took to comply with his orders, proceeded from respect to the Senate, and deference to the authority of the State.

Sylla, won by the behaviour of Pompey on this occasion, was inclined to dispense with his former commands, and accordingly moved in the assembly

of the people, that the legions serving in Africa might return with their arms into Italy.

This motion was opposed by C. Herennius, Tribune of the people, who ventured to employ the prerogative of his office, however impaired, against the power of the Dictator. But Sylla persisted; obtained a law to authorise Pompey to enter with his army into Italy; and when he drew near the city, went forth with a numerous body of the Senate to receive him. On this occasion, it is said, that, by calling him the Great Pompey, Sylla fixed a designation upon him, which, in the Roman way of distinguishing persons by casual additions, whether of contempt or respect, continued to furnish him with a title for life. The times were wretched when armies stated themselves in the commonwealth as the partisans of a leader, and when the leader, by not making war on his country, was supposed to have laid up a store of merit.

Pompey, upon this occasion, laid claim to a triumph. Sylla at first opposed it, as being contrary to the rule and order of the commonwealth, which reserved this honour for persons who had attained to the rank either of Consul or Praetor; but he afterwards complied, being struck, it is said, with a mutinous saying of this aspiring young man, bidding him recollect, that there were more persons disposed to worship the rising than the setting sun.

In the triumph which Pompey accordingly obtained, he meant to have entered the city on a carriage drawn by elephants; but these animals could not pass abreast through the gates. His donation

to the troops falling short of their expectation, and they having murmured, and even threatened to mutiny, he said, the fear of losing his triumph should not affect him ; that he would instantly disband the legions, rather than comply with their unreasonable demands. This check, given to the presumption of the army by an officer so young and so aspiring, gave a general satisfaction. P. Servilius, a Senator of advanced age, said, upon this occasion, “ That “ the young man had at last deserved his triumph “ and his title.”

Pompey, by his vanity in demanding a triumph contrary to the established order of the commonwealth, had impaired the lustre of his former actions. By this last act of magnanimity, in restraining the insolence of the troops, he forfeited the affections of the army; and in both these circumstances together, gave a complete specimen and image of his whole life. With too much respect for the republic to employ violent means for its ruin, he was possessed by a vanity and a jealousy of his own personal consideration, which, in detail, perpetually led him to undermine its foundations.

Upon the return of the elections, Sylla was again destined for one of the Consuls ; but he declined this piece of flattery, and directed the choice to fall on P. Servilius and Appius Claudius. Soon after these magistrates entered on the discharge of their trust, the Dictator appeared, as usual, in the Forum, attended by twenty-four Lictors ; but, instead of proceeding to any exercise of his power, made a formal resignation of

U. C. 674.
P. Servi-
lius, Ap.
Claudius.

it, dismissed his Lictors, and, having declared to the people, that, if any one had matter of charge against him, he was ready to answer it, continued to walk in the streets in the character of a private man, and afterwards retired to his villa near Cumæ, where he exercised himself in hunting *, and other country amusements.

This resignation, it must be confessed, throws a new light on the character of Sylla, and removes him far from the herd of common usurpers, who sacrifice their fellow-creatures merely to their own lust of dominion. The sacrifices he made, shocking as they were to the feelings of humanity, now appear to have been offered at the shrine of public order, to provide, for the future, peace to his country. His ruling passion appears to have been disdain of what the vulgar admire, whether distinction or power. When tired of youthful pursuits, he sued for preferment, but with so little animosity or jealousy of competition, that if he had not been hurried by extreme provocation into the violent course he pursued, it is probable that he never would have been heard of but upon the roll of Consuls, or the record of his triumphs, and would have disdained any encroachment on the right of his fellow-citizens, as much as he resented the encroachments which were made on his own.

In his first attack of the city with a military force, his whole action showed, that he meant to rescue the republic from the usurpation of Marius, not to

* Appian. Bell. Civil. lib. i.

usurp the government for himself. At his return into Italy from the Mithridatic war, the state of parties already engaged in hostilities, and the violence done to the republic by those who pretended to govern it, will abundantly justify his having had recourse to arms.

During the short period in which he retained his power of Dictator, without neglecting precautions for the security of his own person in the retirement he was meditating, he took the measures already mentioned, to tear up the roots of future disorder, and effect some reform in the state : but as the past had shown, what are the evils to which an overgrown and corrupted republic is exposed ; so the corrections he attempted, although they served to prolong the struggles of virtuous men for the preservation of their country, yet were not sufficient to prevent its ruin.

For some particulars of this description, which have not entered into the preceding narration, it may be observed, that he was among the few Romans of his time who made any considerable advance in literary studies ; and that he wrote memoirs of his own life, continued to within a few days of his death, often quoted by Plutarch ; that he nevertheless appeared superior to the reputation of his own most splendid performances, and from simplicity or disdain, mixed perhaps with superstition, not from affected modesty, attributed his success to good fortune or to the favour of the gods ; so much, that

while he bestowed on Pompey the title of *Great*, he himself was content with that of the *Fortunate* *.

With respect to such a personage, circumstances of a trivial nature become subjects of attention. His hair and eyes, it is said, were of a light colour, his complexion fair, and his countenance blotched. He was, by the most probable accounts, four years old at the time of the sedition of Tiberius Gracchus, and seventeen at the death of Caius, the younger brother of Tiberius; so that he might have perceived at this date the effect of tribunitian disorders, and taken the impressions from which he acted against them. He served the office of Quæstor under Marius in Africa at thirty-one; was Consul for the first time at forty-nine or fifty †; was Dictator at fifty-six; resigned when turned of fifty-eight; and died yet under sixty, in the year which followed that of his resignation.

There remained in the city, at his death, a numerous body of new citizens, who having been manumised by his order, bore his name: in the country a still more numerous body of veteran officers and soldiers, who held estates by his gift: numbers throughout the empire, who owed their safety to his protection, and who ascribed the existence of the commonwealth itself to the exertions of his great ability and courage; numbers who, although they were offended with the severe and bloody exercise of his power, yet admired the magnanimity of his resignation.

* Felix.

† Vel. Pater. lib. ii, c. 17.

When he was no longer an object of flattery, his corpse was carried in procession through Italy at the public expense. The fasces, and every other ensign of honour, were restored to the dead. Above two thousand golden crowns were fabricated in haste, by order of the towns and provinces he had protected, or of the private persons he had preserved, to testify their veneration for his memory. Roman matrons, whom it might be expected his cruelties would have affected with horror, lost every other sentiment in that of admiration, crowded to his funeral, and heaped the pile with perfumes *. His obsequies were performed in the Campus Martius. The tomb was marked by his own directions with a characteristical inscription, to the following effect : “ Here lies Sylla, who never was outdone in “ good offices by his friend, nor in acts of hostility “ by his enemy †.”

* Appian. de Bell. Civ. lib. i. Plutarch. in Sylla.

† Plutarch. in Sylla, fine.

CHAP. XV.

State of the commonwealth and numbers of the people.—Characters of persons who began to appear in the times of Sylla.—Faction of Lepidus.—Sertorius harbours the Marian party in Spain.—Is attacked by Metellus and Pompey.—His death, and final suppression of the party.—First appearance of C. Julius Caesar.—Tribunes begin to trespass on the laws of Sylla.—Progress of the empire.—Preparations of Mithridates.—War with the Romans.—Irruption into Bithynia.—Siege of Cyzicus.—Raised.—Flight of Mithridates.—Lucullus carries the war into Pontus.—Route and dispersion of the army of Mithridates.—His flight into Armenia.—Conduct of Lucullus in the province of Asia.

THE public was so much occupied with the contest of Sylla and his antagonists, that little else is recorded of the period in which it took place. Writers have not given us any distinct account of the condition of the city, or of the number of citizens. As the state was divided into two principal factions, the office of Censor was become too important for either party to intrust it with their opponents, or even in neutral hands. The leaders of every faction, in their turn, made up the rolls of the people, and disposed, at their pleasure, of the equestrian and senatorian dignities.

At a survey of the city, which is mentioned by

Livy *, preceding the admission of the Italians, the number of citizens was three hundred and ninety-four thousand three hundred and thirty-six. At another survey, which followed soon after that event, they amounted, according to Eusebius, to four hundred and sixty-three thousand †; and it seems that the whole accession of citizens from the country made no more than sixty-eight thousand six hundred and sixty-four. The great slaughter of Romans and Italians, in which it is said that three hundred thousand men were killed, preceding the last of these musters, and the difficulty of making complete and accurate lists when the citizens were so much dispersed, will account for the seemingly small increase of their numbers.

In this period were born, and began to enter on the scene of public affairs, those persons whose conduct was now to determine the fate of the Republic. Pompey had already distinguished himself, and stood high in the public esteem. He had been educated in the camp of his father, and, by accident, at a very early age, or before he had attained to any of the ordinary civil or political preferments, commanded an army. Cicero, being of the same age, began to be distinguished at the bar. He pleaded, in the second consulate of Sylla, the cause of Roscius Amerinus, and having occasion to censure the actions of Chrysogonus and other favourites of the Dictator, by his freedom in that instance incurred no resentment from Sylla, and gained much honour to himself.

* Liv. lib. lxiii.

† Euseb. in Chronico.

Caius Cæsar, now connected with the family of Cinna, whose daughter he had married, and being nearly related to the elder Marius, who had married his aunt, narrowly escaped the sword of the prevailing party. Being commanded to separate from his wife, he retained her in defiance of this order, and for his contumacy was put in the list of the proscribed. He was saved, however, by the intercession of common friends, whose request in his favour Sylla granted, with that memorable saying, “ Beware of ‘ him : there is many a Marius in the person of that ‘ young man :’”—a circumstance which marked at once the penetration of Sylla, and the early appearances of an extraordinary character in Cæsar.

Marcus Porcius, afterwards named Cato of Utica, was about three years younger than Cæsar, and being early an orphan, was educated in the house of an uncle, Livius Drusus. While yet a child, listening to the conversation of the times, he learned that the pretensions of the Italian allies, then in agitation, were dangerous to the Roman state. Pompelius Silo, who managed the claim for the Italians, amusing himself with the young Cato, pressed him with caresses to intercede with his uncle in their behalf; and, finding that he was not to be won by flattery, next tried in vain to intimidate, by threatening to throw him from the window. “ If this were a man,” he said, “ I believe we should obtain no such favour.” In the height of Sylla’s military executions, when his portico was crowded with persons who brought the heads of the proscribed to be exchanged for the reward which had been published, Cato being car-

ried by his tutor to pay his court, asked, “ if no one “ hated this man enough to kill him ? ” Yes, “ but “ they fear him still more than they hate him.” “ Then give me a sword,” said the boy, “ and I will “ kill him.” Such were the early indications of characters which afterwards became so conspicuous in the commonwealth.

With the unprecedented degradation of the Tribune Octavius, and the subsequent murder of Tiberius Gracchus, began, among the parties at Rome, a scene of injuries and retaliations, with alternate periods of anarchy and violent usurpation, which must have speedily ended in the ruin of the commonwealth, if the sword had not passed at last into hands which employed it for the restoration of public order, as well as for the avenging of private wrongs.

It is indeed probable that none of the parties in these horrid scenes had a deliberate intention to subvert the government, but all of them treated the forms of the commonwealth with too little respect ; and, to obtain some revenge of the wrongs which they themselves apprehended or endured, did not scruple in their turn to violate the laws of their country. But to those who wished to preserve the commonwealth, the experience of fifty years was now sufficient to show, that attempts to restore the laws by illegal methods, and to terminate animosities by retorted injuries and provocations, were extremely vain. The excess of the evil had a tendency to exhaust its source, and parties began to nauseate the draught of which they had been made to drink so largely. There

were, nevertheless, some dregs in the bottom of the cup, and the supplies of faction which were brought by the rising generation, were of a mixture more dangerous than those of the former age. The example of Sylla, who made himself lord of the commonwealth by means of a military force, and the security with which he held his usurpation during pleasure, had a more powerful effect in exciting the thirst of dominion, than the political uses which he made of his power, or his magnanimity in resigning it, had to restrain or to correct the effects of that dangerous precedent. Adventurers accordingly arose, who, without provocation, and equally indifferent to the interests of party as they were to those of the republic, proceeded, with a cool and deliberate purpose, to gratify their own ambition and avarice, by subverting the government of their country.

While Sylla was yet alive, Æmilius Lepidus, a man
U. C. 675. of a profligate ambition, but of mean capa-
M. Æm. Lepidus, Q. Lut. Ca-
tulus, Coss. city, supported by the remains of the popular faction, stood for the Consulate, and
was chosen, together with Q. Lutatius Catulus, the son of him who, with Marius, triumphed for their joint victory over the Cimbri, and who afterwards perished by the orders of that usurper.

Pompey had openly joined the popular faction in support of Lepidus, and was told upon that occasion by Sylla, that he was stirring the embers of a fire which would in the end consume the republic. After the death of Sylla, from a mark of disapprobation well known to the Romans, that of not being mentioned in his will, it appeared that Pompey had lost

his esteem. In opposition to Lepidus, however, and others, who wished to insult the memory of Sylla, this prudent young man was among the first in recommending and performing the honours that were paid to his remains.

Lepidus, upon his accession to the Consulate, moved for a recall of the proscribed exiles, a restitution of the forfeited lands, and a repeal of all the ordinances of the late Dictator. This motion was formally opposed by Catulus; and there ensued between the two Consuls a debate which divided the city. But the party of the Senate prevailed to have the motion rejected.

In the allotment of provinces, the Transalpine Gaul had fallen to Lepidus; and, upon his motion being rejected in the assembly of the people, although it had been some time the practice for Consuls to remain at Rome during their continuance in office, he prepared to leave the city, in order to take possession of his province. This resolution, as it implied great impatience to be at the head of an army, gave some jealousy to the Senate, who dreaded the designs of a Consul desirous to join military power with his civil authority. They recollect ed the progress of sedition which began with the Gracchi and Apuleius raising popular tumults, and ended with Marius and Sylla leading consular armies into the city, and fighting their battles in the streets. And in this point the decisive spirit of Sylla, although it may have snatched the commonwealth from the flames by which it began to be consumed, yet showed the way to its ruin in the means which he em-

ployed to preserve it *. The Senators were willing that Lepidus should depart from the city ; but they had the precaution to exact from him an oath, that he should not disturb the public peace. This oath, to avoid the appearance of any particular distrust of the person for whom it was projected, they likewise administered to his colleague †.

Lepidus, notwithstanding his oath, being arrived in his province, made preparations for war ; and, thinking that his faith was pledged only while he was Consul, determined to remain in Gaul at the head of his forces until his term in office expired. The Senate, in order to remove him from the army he had raised, appointed him to preside at the election of his successor. But he neglected the summons which was sent to him for this purpose ; and the year of the present Consuls was by this means suffered to elapse before any election was made.

The ordinary succession being thus interrupted, the Senate named Appius Claudius, as Interrex, to hold the elections, and at the same time deprived Lepidus of his command in Gaul. Upon this information he hastened to Italy with the troops he had already assembled, and greatly alarmed the republic. The Senate gave to Appius Claudius, and to Catulus, in the quality of Proconsul, the usual charge to watch over the safety of the state. These officers accordingly, without delay, collected a military force, while Lepidus advanced through Etruria, and published a manifesto, in which he invited all the friends of li-

* Appian. de Bell. Civ. lib. ii.

† Ibid.

berty to join him, and made a formal demand of being re-invested with the consular power. In opposition to this treasonable act of Lepidus, the Senate republished the law of Plautius, by which the Praetors were required, in the ordinary course of justice, to take cognisance of all attempts to levy war against the republic, and joined to it an additional clause or resolution of their own, obliging those magistrates to receive accusations of treason on holidays, as well as on ordinary days of business.

Meantime Lepidus advanced to the very gates of Rome, seized the Janiculum and one of the bridges. But in his farther attempt to force the city, was met by Catulus, repulsed and routed. All his party dispersed; he himself fled to Sardinia, and soon after died. His son, a young man, with part of the army, retired to Alba, was there soon after taken, and suffered for a treason in which he had been engaged by his father.

Marcus Brutus, the father of him who, in the continuation of these troubles, afterwards fell at Philippi, having joined with Lepidus in this rash and profligate attempt against the republic, was obliged at Mantua to surrender himself to Pompey, and, by his order, was put to death. But the most considerable part of the army of Lepidus penetrated, under the conduct of Perperna, into Spain, and joined Sertorius, who was now become the refuge of one party in its distress, as Sylla had formerly been of the other. In this province accordingly, while peace began to be restored in Italy, a source of new troubles was opening for the state. The prevailing par-

ty in the city was willing to grant an indemnity, and to suffer all prosecution, on account of the late offences, to drop ; the extreme to which Sylla had carried the severity of his executions, disposing the minds of men to the opposite course of indulgence and mercy.

Before the arrival of Lepidus with his army in Italy, Mithridates had sent to obtain from the Senate a ratification of the treaty he had concluded with Sylla : but, upon a complaint from Ariobarzanes, that the king of Pontus had not himself performed his part of that treaty by the complete restitution of Cappadocia, he was directed to give full satisfaction on this point before his negotiation at Rome could proceed. He accordingly complied ; but by the time his ambassador had brought the report, the Romans were so much occupied by the war they had to maintain against Lepidus and his adherents, that they had no leisure for concerns so remote. This intelligence encouraged Mithridates to think of renewing the war. Sensible that he could not rely on a permanent peace with the Romans, he had already provided an army, not so considerable in respect to numbers as that which he had formerly employed against them, but more formidable by the order and discipline he had endeavoured to introduce on the model of their own legion. He flattered himself, that the distraction under which the republic now laboured at home, would render it unable to resist his forces in Asia, and give him an opportunity to remove the only obstruction that remained to his own conquests. He avoided,

however, during the dependence of a negotiation, and without the pretext of a new provocation, to break out into open hostilities ; but he encouraged his son-in-law, Tigranes, king of Armenia, to make war on the Roman allies in his neighbourhood, and thereby laid the foundation of a quarrel which he might either adopt or decline at pleasure. This prince, accordingly, being then building a city, under the name of Trigranocerta, for which he wanted inhabitants, made an incursion into the kingdom of Cappadocia, and is said to have carried off from thence three hundred thousand of the people to replenish his new settlement.

Soon after this infraction of the peace, Mithridates, in order to have the co-operation of some of the parties into which the Roman state was divided, entered into a treaty with Sertorius, and wished, in concert with this adventurer, to execute the project of a march, by the route which was afterwards frequented by the barbarous nations in their successful attempts to invade and dismember the empire of Rome. From the shores of the Euxine it appeared easy to pass overland to the Adriatic, and once more to repeat the operations of Pyrrhus and of Hannibal, by making war on the Romans in their own country.

Sertorius, who had erected the standard of the republic in Spain, gave refuge to the Roman exiles from every quarter, and was now at the head of a formidable power, composed of Italians as well as natives of that country. By his birth and abilities he had pretensions to the highest preferments of the

state, and had been early distinguished as a soldier, qualified either to plan or to execute. He was attached to Marius in the time of the Cimbric war, and became a party with this leader in his quarrel with Sylla. His animosity to the latter was increased by the mutual opposition of their interests in the pursuit of civil preferments. At the beginning of the civil war, Sertorius took an active part, but shewed more respect to the constitution of his country, and more mercy to those who were opposed to him, than either of his associates Marius or Cinna. When his faction was in possession of the government, he was appointed to command in Spain; and, after the ruin of its affairs in Italy, withdrew into that province. He was received as a Roman governor; but, soon after, when his enemies had prevailed in Italy, was attacked on their part by Caius Annius, who came with a proper force to dislodge him. He had established posts on the Pyrenees for the security of his province; but the officer to whom they were intrusted being assassinated, and the stations deserted, the enemy had free access on that side. Not in condition to maintain himself any longer in Spain, he embarked with what forces he could assemble at Carthagena, and continued for some years, with a small squadron of Cilician galleys, to subsist by the spoils of Africa and the contiguous coasts. In this state of his fortunes, Sertorius formed a project to visit the Fortunate Islands, and if a settlement could be effected there, to bid farewell for ever to the Roman world, with all its factions, its divisions, and its troubles. But while

he was about to set sail in search of this famous retreat in the ocean, he received an invitation from the unsubdued natives of Lusitania to become their leader. At their head his abilities soon made him conspicuous. He affected to consider his new partisans as the Senate and People of Rome, treating the establishment of Sylla in Italy as a mere usurpation. He himself took the ensigns of a Roman officer of state, selected three hundred of his followers, to whom he gave the title of Senate, and, in all his transactions with foreign nations, assumed the name and style of the Roman Republic. In treating with Mithridates, he refused to cede the province of Asia, or to purchase the alliance of that prince by any concessions injurious to the Roman empire, of which he affected to consider himself and his Senate as the legal head.

While Sertorius was acting this farce, the report of his formidable power, the late accession he had gained by the junction of some of the Marian forces under the command of Perperna, and his supposed preparations to make a descent upon Italy, gave an alarm at Rome. Metellus had been some time employed against him in Spain; but being scarcely able to keep the field, the opposition he gave tended only to augment the reputation of his enemy. The

U. C. 676. Consuls lately elected were judged unequal
D. Junius Brutus, to this war, and the thoughts of all men
Mam. E-
milianus
Livianus. were turned on Pompey, who, though yet in no public character, nor arrived at the legal age of state preferments, had the address on this, as on many other occasions, to make himself

be pointed at as the only person who could effectually serve the republic. He was accordingly, with the title of Proconsul, joined to Metellus in the conduct of the war in Spain *. It no doubt facilitated the career of this young man's pretensions, that few men of distinguished abilities were now in the way to sustain the fortunes of the republic. Such persons, of whatever party, had, in their turns, been the first victims of the late violent massacres ; and the party of Sylla, which was now the republic, when considered as a nursery of eminent men, had some disadvantage, perhaps, in the superiority of its leader, who was himself equal to all its affairs, and taught others to confide and obey, rather than to act for themselves. Pompey was not of an age to have suffered from this influence. He came into the party in its busiest time, and had been intrusted with separate commands. He had already obtained for himself a considerable measure of that artificial consideration, which, though it cannot be supported without abilities, often exceeds the degree of merit on which it is founded ; and this consideration to the end of his life he continued to augment with much attention and many concerted intrigues. His genius, however, for war was real, and was now about to be exercised and improved in the contest with Sertorius, an excellent master, whose lessons were rough but instructive.

* Claudio^s, in making this motion, alluding to the supposed insignificance of both Consuls, said, that Pompey should be sent not Proconsul, but " pro Consulibus."

Pompey having made the levies destined for this service took his departure from Italy by a new route, and was the first Roman general who made his way into Spain by the Alps through Gaul and the Pyrenees *. Soon after his arrival, a legion that covered the foragers of his army was intercepted and cut off by the enemy. Sertorius was engaged in the siege of Laura. Pompey advanced to relieve it. Sertorius, upon his approach, took post on an eminence. Pompey prepared to attack him, and the besieged had hopes of immediate relief. But Sertorius had made his disposition in such a manner, that Pompey could not advance without exposing his own rear to a party that was placed to attack him, “ I will “ teach this pupil of Sylla,” he said, “ to look be-“ hind as well as before him ;” and Pompey, seeing his danger, chose to withdraw, leaving the town of Laura to fall into the enemy’s hands, while he himself continued a spectator of the siege, and of the destruction of the place. After this unsuccessful beginning of the war, he was obliged to retire into Gaul for the winter †.

The following year, Cn. Octavius and C. Scribonius Curio being Consuls, Pompey still retained his command ; and having repassed the Pyrenees, directed his march to join Metellus. Sertorius lay on the Su-

* The communication with Spain had hitherto been carried on by sea ; and in contradiction to this communication, Pompey was said to have taken *Hannibal’s route*.

† Plutarch. in Pompeio et Sertorio. Appian. Liv. Obsequens. Frontinus Strategem. lib. ii, c. 5.

cro *, and wished to engage one or other of these parties before their junction ; and Pompey, on his part, being desirous to reap the glory of a separate victory, an action ensued, in which the wing on which Pompey fought was defeated by Sertorius ; but the other wing had the victory over Perperna. As Sertorius was about to renew the action on the following day, he was prevented by the arrival of Metellus. " If the old woman had not interposed," he said, " I should have whipt the boy, and sent " him back to his schools at Rome."

This war continued about two years longer with various success, but without any memorable event, until it ended by the death of Sertorius, who, at the instigation of his associate Perperna, was betrayed and assassinated by a few of his own attendants. Perperna, having removed Sertorius by this base action, put himself at the head of both their adherents, and endeavoured to keep them united, at least until he should be able to purchase his peace at Rome. He was, however, deserted by numbers of those who had been attached to Sertorius, and at last surprised by Pompey, and slain. He had made offers to disclose the secrets of the party, and to produce the correspondence which many of the principal citizens at Rome held with Sertorius, inviting him to return into Italy, and promising to join him with a considerable force. The letters which had passed in this correspondence were secured by Pompey, and, without being opened, were burned. So mas-

* The Xucar, which falls into the bay of Valentia.

terly an act of prudence, in a person who was yet considered as a young man, has been deservedly admired. It served to extinguish the remains of the Marian faction, and reconciled men, otherwise disaffected, to a situation in which they were now assured of impunity and even of concealment.

While Pompey was thus gathering laurels in the field, C. Julius Cæsar, being about seven years younger, that is, twenty-three years of age, was returned from Asia; and, to make some trial of his parts, lodged a complaint against Dolabella, late Proconsul of Macedonia, for oppression and extortion in his province. Cotta and Hortensius appearing for the defendant, procured his acquittal. Cicero says, that he himself was then returned from a journey he had made into Asia, and was present at this trial. The following year Cæsar left Rome, with intention to pass some time under a celebrated master of rhetoric at Rhôdes. In his way he was taken by pirates, and remained their prisoner about forty days, until he found means to procure from Metellus a sum of fifty talents *, which was paid for his ransom. He had frequently warned the pirates, while yet in their hands, that he should punish their insolence; and at parting, he told them to expect the performance of his promise. Upon being set on shore, he assembled and armed some vessels on the coast, pursued his late captors, took and brought them into port. From thence he hastened to Junius Silanus, the Proconsul of Bithynia, and applied

* Near to L. 10,000.

for an order to have them executed ; but being refused by this officer, he made his way back with still greater dispatch, and, before any instructions could arrive to the contrary, had his prisoners nailed to the cross. Such lawless banditti had long infested the seas of Asia and of Greece, and furnished at times no inconsiderable employment to the arms of the republic. Servilius Vatia, who afterwards bore the title of Isauricus, had lately been employed against them ; and, after clearing the seas, endeavoured likewise to destroy or to secure their seaports and strongholds on shore. They, nevertheless, recovered from this blow they had received from Isauricus, and continued to appear at intervals in new swarms, to the great interruption of commerce and of all the communications by sea, in the empire.

Under the reformations of Sylla, which, by disarming the tribunitian power, in a great measure shut up the source of former disorders, the republic was now restored to some degree of tranquillity, and resumed its attention to the ordinary affairs of peace. The bridge on the Tiber, which had been erected of wood, was taken down and rebuilt with stone ; bearing the name of Æmilius, one of the Quæstors under whose inspection the fabric had been reared ; and as a public concern of still greater importance, it is mentioned, that a treatise on agriculture, the production of Mago a Carthaginian, and in the language of Carthage, was, by the express orders of the Senate, now translated into Latin. At the reduction of Carthage, the Romans were yet governed

by husbandmen; and, amidst the literary spoils of that city, this book alone, consisting of twenty-eight rolls or volumes, was supposed to merit so much of the public attention as to be secured for the state. A number of persons skilled in the Punic language, together with Silanus, who had the principal charge of the business, were now employed in translating it *.

The calm, however, which the republic enjoyed under this period of regular government and pacific pursuits, was not altogether undisturbed. In the Consulate of Cn. Octavius and C. Scribonius Curio, the Tribune Licinius made an attempt to recover the former powers of the office. He ventured, in presence of both the Consuls, to harangue the people, and exhorted them to reassume their ancient rights. As a circumstance which serves to mark the petulant boldness of these men, it is mentioned that the Consul Octavius, on this occasion, being ill, was muffled up, and covered with a dressing which brought flies in great numbers about him. The Consuls being placed together, Curio made a vehement speech, at the close of which, the Tribune called out to Octavius, “ You never can repay your “ colleague’s service of this day ; if he had not been “ near you, while he spoke, and beat the air so much “ with his gesticulations, the flies must by this time “ have eaten you up †.” The sequel is imperfectly known ; but the dispute appears to have been carried to a great height, and to have ended in a tumult, in which the Tribune Licinius was killed.

* Plin. lib. xviii, c. 3.

† Cicero de Claris Oratoribus.

Upon a review of Sylla's acts intended to restore the authority of the Senate, it may be questioned, whether that clause in the law relating to the Tribunes, by which all persons having accepted of this office were excluded from any further preferment in the state, may not have had an ill effect, and required correction. It rendered the Tribune an object only to the meanest of the Senators, who, upon their acceptance of it, ceasing to have any pretensions to the higher offices of state, were, by this means, deprived of any interest in the government, and exasperated of course against the higher dignities of the commonwealth, from which they were themselves u. c. 678. excluded. Aurelius Cotta, one of the L. Octa- Consuls that succeeded Cn. Octavius and vins, C. Aurelius Curio, moved perhaps by this considera- Cotta. tion, proposed to have that clause repealed, and was warmly supported by the Tribune Opimius, who, contrary to the prohibition lately enacted, ventured to harangue the people ; and for this offence, at the expiration of his office, was tried and condemned *.

By the defects which the people began to apprehend in their present institutions, or by the part which their demagogues began to take against the Aristocracy, the Roman state, after a very short respite, began to relapse into its former troubles, and was again to exhibit the curious spectacle of a nation divided against itself, broken and distracted in its councils at home, but victorious in all its operations

* Cicero, 5to, in Verrem, et Paedianus, ibid.

abroad, and gaining continual accessions of empire, under the effect of convulsions which shook the commonwealth itself to its base ; and, what is still less to be paralleled in the history of mankind, exhibiting the spectacle of a nation, which continued from the earliest ages to proceed in its affairs abroad with a success that may be imputed in a great measure to its divisions at home.

War, in the detail of its operations, if not even in the formation of its plans, is more likely to succeed under single men than under numerous councils. The Roman constitution, though far from an arrangement proper to preserve domestic peace and tranquillity, was an excellent nursery of statesmen and warriors. To individuals trained in this school, all foreign affairs were committed with little responsibility and less control. The ruling passion, even of the least virtuous citizens, during some ages, was the ambition of being considerable, and of rising to the highest dignities of the state at home. In the provinces they enjoyed the condition of monarchs ; but they valued this condition only as it furnished them with the occasion of triumphs, and contributed to their importance at Rome. They were factious and turbulent in their competition for preferment and honours in the capital ; but, in order the better to support that very contest at home, were faithful and inflexible in maintaining all the pretensions of the state abroad. Thus Sylla, though deprived of his command by an act of the opposite faction at Rome, and with many of his friends, who escaped from the bloody hands of their persecutors, con-

denmed and outlawed, still maintained the part of an officer of state, and prescribed to Mithridates, in the terms which might have been expected from a Roman Magistrate in the most undisturbed exercise of his trust. Sertorius, in the same manner, acting for the opposite faction, in some measure preserved a similar dignity of character, and on the proposals which were made to him by the same Prince, refused to make concessions unworthy of the Roman republic. Contrary to the fate of other nations, where the state is weak, while the conduct of individuals is regular; here the state was in vigour, while the conduct of individuals was in the highest degree irregular and wild.

The reputation of the Romans, even in the intervals of war, procured them accessions of territory without labour, and without expense. Thus, kingdoms were bequeathed to them by will; as that of Pergamus formerly by the testament of Attalus; that of Cyrene, at the bequest of Ptolemy Appion; and that of Bithynia, about this time, by the will of Nicomedes. To the same effect, princes and states, where they did not make any formal cession of their sovereignty, did somewhat equivalent, by submitting their rights to discussion at Rome, and by soliciting from the Romans, grants of which the world now seemed to acknowledge the validity, by having recourse to them as the basis of tenures by which they were to hold their possessions. To the same effect also, the sons of the last Antiochus, king of Syria, having passed two years at Rome, waiting decisions of the Senate, and soliciting a grant of the

kingdom of Egypt, on which they formed their opposite pretensions, thus stated themselves as subjects or dependents on the republic of Rome.

In Asia, by these means, the Roman empire advanced on the ruin of those who had formerly opposed its progress. The Macedonian line, in the monarchy of Syria, was now broken off, or extinct. The monarchy itself was no more. For on the defeat of Antiochus at Sipylus, followed by the defection of provincial governors and tributary princes, who, no longer awed by the power of their former master, entered into a correspondence with the Romans, and were by them acknowledged as sovereigns, the empire of Syria, once so entire, was split and dismembered. In this manner also the states of Armenia, long subject to the Persians, and afterwards to the Macedonians, now became the seat of a new monarchy under Tigranes. And, to complete these revolutions of empire, the natives of the last district to which the name of Syria was affixed, weary of the degeneracy and weakness of their own court, of the irregularity of the succession to the throne of their own kingdom ; weary of the frequent competitions which involved them in blood, invited Tigranes the king of Armenia to wield a sceptre which the descendants of Seleucus were no longer in condition to hold. This prince, accordingly, extended his kingdom to both sides of the Euphrates, and held the remains of Assyria itself as one of its divisions *.

In these circumstances, the Romans were left un-

* Syribo, lib. xi. fin.

disturbed to re-establish their province in the Lesser Asia : and under the auspices of Servilius, who, from his principal acquisition in those parts, had the name of Isaureius, were extending their limits on the side of Cilicia, and were hastening to the sovereignty of that coast, when their progress was suddenly checked by the re-appearance of an enemy, who had already given them much trouble in the eastern part of the empire.

Mithridates, king of Pontus, who appears to have revived in his own breast the animosities of Pyrrhus and of Hannibal against the Romans, had never ceased, since the date of his last mortifying treaty with Sylla, to devise the means of renewing the war. Having attempted in vain to engage Sylla in a league with himself against the Romans, he made a similar attempt on Sertorius, to which we have already referred. Affecting to consider this fugitive, with his little Senate, as head of the republic, he pressed for a cession of the Roman province in Asia in his own favour, and in return offered to assist the followers of Sertorius with all his forces in the recovery of Italy. In this negotiation, however, he found, as has been already remarked, that whoever assumed the character of a Roman officer of state, supported it with a like inflexible dignity. Sertorius refused to dismember the empire, but accepted of the proffered aid from Mithridates, and agreed to supply him with officers of the Roman establishment to assist in the formation and discipline of his troops.

The king of Pontus, now bent on correcting the error which is common in extensive and barbarous

monarchies, of relying entirely on numbers, with less attention to discipline or military skill, proposed to form a more regular army than that which he had assembled in the former war; and however little successful in his attempts, he endeavoured to rival his enemy in every particular of their discipline, in the choice and use of their weapons, and in the form of their legion. With troops beginning to make these reformations, and amounting to one hundred and twenty thousand foot, and sixteen thousand horse, he made an open declaration of war, and, without resistance, took possession of Cappadocia and Phrygia, beyond the bounds which the Romans had prescribed to his kingdom. As he was to act both by sea and by land, he began with customary oblations to Neptune and to Mars. To the first he made an offering of a splendid carriage, drawn by white horses, which he precipitated from a cliff, and sunk in the sea; to the other, he made a sacrifice, which, as described by the historian *, filled the imagination more than any of the rites usually practised by ancient nations. The king, with his army, ascended the highest mountain on their route, formed on its summit a great pile of wood, of which he himself laid the first materials, and ordered the fabric to be raised in a pyramidal form to a great height. The top was loaded with offerings of honey, milk, oil, wine, and perfumes. As soon as it was finished, the army around it began the solemnity with a feast, at the end of which the pile was set

* Appian.

on fire, and in proportion as the heat increased, the host extended its circle, and came down from the mountain. The smoke and the flames continued to ascend for many days, and were seen, it is said, at the distance of a thousand stadia, or above an hundred miles *.

After this solemnity was over, Mithridates endeavoured to animate and to unite in a common zeal for his cause the different nations which, in forming his army, had been collected from the most distant parts of the empire. For this purpose he enumerated the successes by which he himself had raised his kingdom to its present pitch of greatness, and represented the numerous vices or defects of the enemy with whom he was now to contend; reciting their divisions at home, their oppression abroad, their avarice and their insatiable lust of dominion.

The Romans were some time undetermined in the choice of a person to be employed against this formidable enemy. Pompey, being still in Spain, saw with regret a service of this importance likely to fall to the share of another; and he had his partisans at Rome who would have gladly put off the nomination of any general to this command, until he himself could arrive with his army to receive it. He had about this time, impatient of his absence from Rome, wrote a letter to the Senate, complaining, in petulant terms, of their neglect, and of the straits to which the troops under his command were reduced for want of pay and provisions, and threat-

* Appian, de Bell. Mithridat.

ening, if not speedily supplied, to fall back upon Italy. The Consul Lucullus, apprehending what might be the consequence of Pompey's arrival with a military force, and wishing not to furnish him with any pretence for leaving his province, had the army in Spain completely supplied, and at the same time took proper measures to support his own pretensions to the command in Asia. From his rank as Consul in office, he had a natural claim to this station ; and from his knowledge of the country, and of the war * with this very enemy, in which he had already borne some part under Sylla †, he was well entitled to plead his qualifications and his merits.

When the provinces came to be distributed, the difficulties which presented themselves in Asia were thought to require the presence of both the Consuls. The kingdom of Bithynia, which had been lately bequeathed to the Romans, was in danger of being invaded before they could obtain a formal possession of this inheritance ; at the same time that the ene-

* Vide Cicer. in Lucullo, c. 1, et 2.

† Plutarch. in Lucul. initio, edit. Lond. 4to, vol. iii, p. 137.

Cicero is often quoted to prove, that Lucullus, at this time, was a mere novice in war, and owed the knowledge by which he came to be distinguished, to speculation and study, not to experience. It is observed by Lord Bolingbroke, that Cicero, who, among his other pretensions to fame, aspired to that of a military commander, had an interest in having it believed that great officers might be formed in this manner : But as he could not be ignorant that Lucullus had acted under Sylla, it is probable that he affected to consider the part which was assigned to him by Sylla as a mere civil employment. He is indeed mentioned as having charge of the coinage with which Sylla paid his army, and of the fleet with which he transported them into Asia ; but it is not to be supposed that these were the only operations confided by Sylla to a Lieutenant of so much ability.

my, by whom they were threatened, was not likely to limit his operations to the attack of that country. Of the Consuls, Cotta was appointed to seize on the kingdom of Bithynia, and Lucullus, to lead the army against Mithridates wherever else he should carry the war. Cotta set out immediately for his province. Lucullus, being detained in making the necessary levies, followed some time afterwards; but before his arrival in Asia, Cotta had been obliged to evacuate Bithynia, and to take refuge in Chalcedonia. The king of Pontus, being superior both by sea and by land, had overrun the country in the neighbourhood of this place; and, having broke the chain which shut up the mouth of the harbour, entered and burnt some Roman galleys which were stationed there. Not thinking it advisable to attack the town of Chalcedonia, he turned his forces against Cyzicus, a port on the Propontis, and blocked up the place both by sea and by land; being well provided with battering engines, and the other necessaries of a siege, he had hopes of being soon able to reduce it by storm. The inhabitants, nevertheless, were prepared to resist, and were in expectation of being speedily relieved by the Romans.

Such was the state of affairs when Lucullus arrived in Asia; and having joined his new levies to the legions which had served under Fimbria, and to the other troops already in the province, he assembled an army of about thirty thousand men, with which he advanced to re-establish Cotta in his province, and to relieve the town of Cyzicus.

Mithridates being elated by his own successes,

and by the superiority of his numbers, did not sufficiently attend to the motions of Lucullus, suffered him to get possession of the heights in his rear, and to cut off his principal supplies of provisions and forage. Trusting, however, that his magazines would not be exhausted before he should have forced the town of Cyzicus to surrender, he continued the siege. But his engines not being well served, and the defence being obstinate, his army began to be distressed for want of provisions, and it became necessary to lessen his consumption. For this purpose he secretly detached some part of his cavalry, which being intercepted by the Romans on their march, were cut off or dispersed ; and the king, now seeing the remainder of his troops unable to subsist any longer in their present situation, embarked on board one of his galleys, ordered the army to force their way to Lampsacus, while he himself endeavoured to escape with his fleet. In this retreat, being harassed by Lucullus, the greater part of the late besiegers of Cyzicus perished in passing the Asopus and the Granicus. The king himself, having put into Nicomedia, and from thence continuing his voyage through the Bosphorus to the Euxine, was overtaken on that sea by a storm, and lost the greatest part of his shipping. His own galley being sunk, he himself narrowly escaped in a barge.

The whole force with which the king of Pontus had invaded Bithynia, being thus dispelled like a cloud, Lucullus employed some time in reducing the towns into which any of the troops of Mithridates had been received ; and having effectually destroyed

the remains of the vanquished army, took his route by Bithynia and Galatia towards Pontus. At the entrance into this kingdom was situate the town of Amysus, a considerable fortress on the coast of the Euxine, into which had been thrown a sufficient force to retard the progress of an enemy. Mithridates, under favour of the delays obtained by the defence of this place, assembled a new army at Cabira, near the frontier of Armenia. Here he mustered about forty thousand foot, and a considerable body of horse, and was soliciting the Scythians, Armenians, and all the nations of that continent to his aid.

Lucullus, in order to prevent, if possible, any further reinforcements to the enemy, committed the siege of Amysus to Murena, and advanced with his army into the plains of Cabira. On this ground the Roman horse received repeated checks from those of the enemy, and were kept in continual alarm, until their general, having time to observe the country, avoided the plains on which the king of Pontus, by means of his cavalry, was greatly superior. In pursuit of this plan, though very much straitened for provisions, Lucullus kept his position on the heights, until the enemy could be attacked with advantage. The skirmishes which happened between the foraging parties, brought into action considerable numbers from the respective armies; and the troops of Mithridates, having been routed in one of these partial encounters, the king took a resolution to decamp in the night, and remove to a greater distance from his enemy. As soon as it was dark, the

equipage and the attendants of the leading men in the camp to whom he had communicated this resolution began to withdraw; and the army, greatly alarmed with that appearance, was seized with a panic, and could not be restrained from flight. Horse and foot, and bodies of every description, crowded in disorder into the outlets from the camp, and were trod under foot, or in great numbers perished by each other's hands. Mithridates himself, endeavouring to stop and to undeceive them, was carried off as by the torrent, which could not be withstood.

The noise of this tumult being heard to a great distance, and the occasion being known in the Roman camp, Lucullus advanced with his army to profit by the confusion into which the enemy were fallen, and by a vigorous attack, having put many to the sword, hastened their total rout and dispersion.

The king himself was, by one of his servants, with difficulty mounted on horseback, and must have been taken, if the pursuing party had not been amused in seizing some plunder, which he had ordered on purpose to be left in their way. A mule, loaded with some part of the royal treasure, turned the attention of his pursuers, while he himself made his escape.

In his flight the king appeared to be most affected with the fate of his women. The greatest number of them were left at the palace of Pharnacea, a place that must soon fall into the hands of the enemy. He therefore dispatched a faithful eunuch with orders to put them to death, leaving the choice of

the manner to themselves. A few are particularly mentioned. Of two, who were his own sisters, Roxana and Statira, one died uttering execrations against her brother's cruelty, the other extolling, in that extremity of his own fortune, the generous care he took of their honour. Monimé, a Greek of Miletus, celebrated for her beauty, whom the king had long wooed in vain with proffers of great riches, and whom he won at last only by the participation of his crown, and the earnest of the nuptial rites, had ever lamented her fortune, which, instead of a royal husband and a palace, had given her a prison, and a barbarous keeper. Being now told that she must die, but that the manner of her death was left to her own choice, she unbound the royal fillet from her hair, and, using it as a bandage, endeavoured to strangle herself. It broke in the attempt: "Bau-ble," she said, "it is not fit even for this!" then stretching out her neck to the eunuch, bid him fulfil his master's purpose. Berenice of Chios, another Grecian beauty, had likewise been honoured with the nuptial crown, and, having been attended in her state of melancholy elevation by her mother, who, on this occasion, likewise resolved to partake of her daughter's fate; they chose to die by poison. The mother entreated that she might have the first draught; and died before her daughter. The remainder of the dose not being sufficient for the queen, she put herself likewise into the hands of the executioner, and was strangled. By these deaths, the barbarous jealousy of the king was gratified, and

the future triumph of the Roman general deprived of its principal ornaments.

Lucullus, after his victory, having no enemy in the field to oppose him, overran the country, and passed without interruption through most of the towns in the kingdom of Pontus. He found many palaces enriched with treasure, and adorned with barbarous magnificence; and, as might be expected under such a violent and distrustful government, every where places of confinement crowded with prisoners of state, whom the jealousy of the king had secured, and whom his supercilious neglect had suffered to remain in custody, even after his jealousy was allayed.

Mithridates, from his late defeat, fled into Armenia, and claimed the protection of Tigranes, who being married to his daughter, had already favoured him in his designs against the Romans.

This powerful prince, now become sovereign of Syria as well as Armenia, still continued his residence in the last of these kingdoms, at Tigranocerta, a city he himself had built, stocked with inhabitants, and distinguished by his own name. On the arrival of Mithridates to sue for his protection, Tigranes declined to see him, but ordered him a princely reception in one of the palaces.

Lucullus continued his pursuit of this flying enemy only to the frontier of Armenia, and from thence, sending Publius Clodius, who was his brother-in-law, to the court of Tigranes, with instructions to require that Mithridates should be delivered up as a lawful prey, he himself fell back into the kingdom of Pon-

tus, and soon after reduced Amyas, together with Sinopé, and other places of strength, which were held by the troops of the king.

The inhabitants of these places had been originally colonies from Greece, and having been subdued by the Persians, were, on the arrival of Alexander the Great, from respect to their origin, restored to their freedom. In imitation of this example, and agreeably to the profession which the Romans ever made of protecting the liberties of Greece, Lucullus once more declared those cities to be free.

In his quality of Proconsul, having now sufficient leisure to attend to the general state of the Roman affairs that were committed to his government, he found the following particulars, from which we may collect the measure of abuse to which the conquered provinces were exposed. The collectors of revenue, under pretext of levying the tax imposed by Sylla, had been guilty of the greatest oppressions. The inhabitants, in order to pay this tax, borrowed money of the Roman officers and merchants at exorbitant interest ; and, when they no longer had any credit, their effects were distrained for payment, or themselves threatened with imprisonment and tortures : private persons were reduced to the necessity of exposing their children to sale, and corporations of selling the pictures, images, and other ornaments of their temples, in order to satisfy these inhuman creditors. Willing to restrain, or to correct these abuses, Lucullus ordained, that where the sum exacted for usury was equal to the capital, the debt should be cancelled ; and in other cases, fixed

the interest at a moderate rate. These acts of beneficence or justice to the provinces, were, by the farmers of the revenue, represented as acts of oppression and cruelty to themselves, and were, among their connections, and the sharers of their profits at Rome, stated against Lucullus as subjects of complaint and reproach.

CHAP. XVI.

Escape and revolt of the gladiators at Capua.—Spartacus.—Action and defeat of Lentulus the Roman Consul.—And of Cassius the Praetor of Gaul.—Appointment of M. Crassus for this service.—Destruction of the gladiators.—Triumph of Metellus and Pompey.—Consulship of Pompey and Crassus.—Tribunes restored to their former powers.—Consulate of Metellus and Hortensius.—War in Crete.—Renewal of the war in Pontus and Armenia.—Defeat of Tigranes.—Negotiation with the king of Parthia.—Mutiny of the Roman army.—Complaints of piracies committed in the Roman seas.—Commission proposed to Pompey.—His conduct against the pirates.—His commission extended to Pontus.—Operations against Mithridates.—Defeat and flight of that prince.—Operations of Pompey in Syria.—Siege and reduction of Jerusalem.—Death of Mithridates.

SOON after the war, of which we have thus stated
U. C. 680. the event, had commenced in Asia, Italy
M. Teren. was thrown into great confusion by the
Varro, C. accidental escape of a few gladiators from
Casa. Va- the place of their confinement at Capua.
rus. These were slaves trained up to furnish their masters
with a spectacle, which, though cruel and barbarous,
drew numerous crowds of beholders. It was at first
introduced as a species of human sacrifice at fune-
rals, and such victims were now kept by the wealthy

in great numbers for the entertainment of the public, and even for private amusement. The handsomest, the most active, and the boldest of the slaves or captives were selected for this purpose. They were sworn to decline no combat, and to shun no hardship, to which they were exposed by their masters ; they were of different denominations, and accustomed to fight in different ways ; but those from whom the whole received their designation, employed the sword and buckler, or target ; and they commonly fought naked, that the place and nature of the wounds they received might the more plainly appear.

Even in this prostitution of valour, refinements of honour were introduced. There were certain graces of attitude which the gladiator was not permitted to quit, even to avoid a wound. There was a manner which he studied to preserve in his fall, in his bleeding posture, and even in his death. He was applauded, or hissed, according as he succeeded or failed in any of these particulars. When, after a tedious struggle, he was spent with labour and with the loss of blood, he still endeavoured to preserve the dignity of his character, dropt or resumed the sword at his master's pleasure, and looked round to the spectators for marks of their satisfaction, and applause *.

Persons of every age, condition and sex, attended at these exhibitions ; and when the pair who were engaged began to strain and to bleed, the spectators,

* Cie. Tusculanarum, lib. ii, c. 17.

being divided in their inclinations, endeavoured to excite, by their cries and acclamations, the party they favoured; and when the contest was ended, called to the victor to strike, or to spare, according as the vanquished was supposed to have forfeited or to have deserved his life*. With spectacles of this sort, which must create so much disgust and horror in the recital, the Romans were more intoxicated than any populace in modern Europe now are with the baiting of bulls, or the running of horses, probably because they were more deeply affected, and more intensely moved by the scene.

Spartacus, a Thracian captive, who, on account of his strength and activity, had been destined for this barbarous profession, with about seventy or eighty of his companions, having escaped from their place of confinement, armed themselves with such weapons as accident presented to them, and retiring to some fastness on the ascents of Vesuvius, from thence harassed the country with robberies and murders. "If we are to fight," said the leader of this desperate band, "let us fight against our oppressors, "and in behalf of our own liberties, not to make "sport for this pétulant and cruel race of men." Multitudes of slaves from every quarter flocked to his standard. The Praefect of Capua turned out the inhabitants of his district against them, but was defeated.

This feeble and unsuccessful attempt to quell the insurrection, furnished the rebels with arms, and raised their reputation and their courage. Their leader,

* Cicero pro Sexto, c. 27. Tuscul. Quest. Spartacus, lib. ii, c. 17.

by his generosity in rejecting his own share of any booty he made by his conduct and his valour, acquired the authority of a legal commander ; and, having named Crixus and Cenomaus, two other gladiators, for his subordinate officers, he formed the multitudes that resorted to him into regular bodies, employed a certain number to fabricate arms, and to procure the necessary accommodations of a camp, till at length he collected an army of seventy thousand men, with which he commanded the country to a great extent. He had already successively defeated the Praetors Clodius, Varinus, and Cossinius, who had been sent against him with considerable forces, so that it became necessary to order proper levies, and to give to the Consuls the charge of repressing this formidable enemy.

Spartacus had too much prudence to think himself fit to contend with the force of the Roman State, which he perceived must soon be assembled against him. He contented himself, therefore, with a more rational scheme, of conducting his army by the ridge of the Appenines, till he should gain the Alps, from whence his followers, whether Gauls, Germans, or Thracians, might separate, each into the country of which he was a native, or from which he had been brought into the state of bondage, from which they now endeavoured to extricate themselves.

While he began his progress by the mountains, in U. C. 681. order to execute this project, the Consuls, L. Gell. Poplicola, Cn. Corn. Lent. Clodianus. Gellius and Lentulus, had already taken the field against him. They at first surprised and cut off a considerable body un-

der Crixus, who had fallen down from the heights in order to pillage the country. But Lentulus afterwards pressing hard upon Spartacus, who led the main body of the rebels, brought on an action, in which the consular army was defeated with considerable loss. Cassius too, the Praetor of Cisalpine Gaul, having advanced upon him with an army of ten thousand men, was repulsed with great slaughter.

In consequence of these advantages, Spartacus might no doubt have effected his retreat to the Alps; but his army being elated with victory, and considering themselves as masters of Italy, were unwilling to abandon their conquest. He himself formed a new project of marching to Rome; and for this purpose destroyed all his superfluous baggage and cattle, put his captives to death, and refused to receive any more of the slaves who were still in multitudes resorting to his standard. He probably expected to elude or to pass the Roman armies without a battle, and to force the city of Rome itself by an unexpected assault. In this he was disappointed by the Consuls, with whom he was obliged to fight in the Picenum; and, though victorious in the action, he lost hopes of surprising the city. But still thinking himself in condition to keep his ground in Italy, he only altered his route, and directed his march towards Lucania.

The Romans greatly embarrassed, and thrown into some degree of consternation, by the unexpected continuance of an insurrection which had given them much trouble, and which exposed their armies

to much danger, with little prospect of honour ; not being courted, as usual, for the command in this service, they imposed, rather than conferred it on Marcus Crassus, then in the rank of Prætor, and considered as a person of consequence, more on account of his wealth, than of his abilities ; though in this service, after others had failed, he laid the foundation of a more favourable judgment. They at the same time sent orders to Pompey, who had finished the war in Spain, to hasten into Italy with his army ; and to the Proconsul of Macedonia, to embark with what forces could be spared from his province.

Crassus assembled no less than six legions, with which he joined the army which had been already so unsuccessful against the revolt. Of the troops who had miscarried, he is said to have executed, perhaps only decimated, four thousand, as an example to the new levies, and as a warning of the severities they were to expect for any failure in the remaining part of the service.

Upon his arrival in Lucania he cut off ten thousand of the rebels, who were stationed at a distance from the main body of their army, and he endeavoured to shut up Spartacus in the peninsula of Bruttium, or head of land which extends to the Straits of Messina. The gladiators desired to pass into Sicily, where their fellow-sufferers, the slaves of that island, were not yet entirely subdued, and where great numbers at all times were prepared to revolt ; but they were prevented by the want of shipping. Crassus at the same time undertook a work of great labour, that of intrenching the land from sea to sea

with a ditch fifteen feet wide, and as many deep, extending, according to Plutarch, three hundred stadia, or above thirty miles. Spartacus endeavouring to interrupt the execution of this work, was frequently repulsed ; and his followers beginning to despond, entertained thoughts of surrender. But, in order to supply by despair what they lost in courage, he put them in mind that they fought not upon equal terms with their enemies ; that they must either conquer or be treated as fugitive slaves ; and, to enforce his admonitions, he ordered one of his captives to be nailed to the cross in sight of both armies. “ This,” he said to his own people, “ is an example of what you are to suffer if you fall into “ the enemy’s hands.”

Whilst Crassus was busy completing his line of countervallation, Spartacus prepared to force it ; and, having provided faggots and other materials for this purpose, filled up the ditch at a convenient place, and passed it in the night with the whole body of his followers. Directing his flight to Apulia, he was pursued and greatly harassed in his march.

Accounts being received at once in the camp of Crassus and in that of Spartacus, that fresh troops were landed at Brundisium from Macedonia, and that Pompey was arrived in Italy, and on his march to join Crassus, both armies were equally disposed to hazard a battle ; the gladiators, that they might not be attacked at once by so many enemies as were collecting against them ; and the Romans under Crassus, that Pompey might not arrive to snatch out of their hands the glory of terminating the war.

Under the influence of these different motives, both leaders drew forth their armies ; and when they were ready to engage, Spartacus, with the valour rather of a gladiator than of a general, alighting from his horse, and saying aloud, in the hearing of his followers, “ If I conquer to-day, I shall be better mounted ; if not, I shall not have occasion for a horse,” he plunged his sword into the body of the animal. With this earnest of a resolution to conquer or to die, he advanced towards the enemy ; directing the division in which he himself commanded, to make their attack where he understood the Roman general was posted. He intended to decide the action by forcing the Romans in that quarter ; but after much bloodshed, being mangled with wounds, and still almost alone in the midst of his enemies, he continued to fight till he was killed ; and the victory of course declared for his enemy. About a thousand of the Romans were slain : of the vanquished the greatest slaughter, as usual in ancient battles, took place after the flight began. The dead were not numbered ; about six thousand were taken, and, in the manner of executing the sentence of death on slaves, they were nailed to the cross in rows, that almost lined the way from Capua to Rome. Such as escaped from the field of battle, being about five thousand, fell into the hands of Pompey, and furnished a pretence to his flatterers for ascribing to him the honour of terminating the war.

The mean quality of the enemy, however, in the present case, precluded even Crassus from the honour of a triumph ; he could have only an ovation

or military procession on foot. But instead of the myrtle wreath, usual on such occasions, he had credit enough with the Senate to obtain the laurel crown*.

Pompey too arrived at the same time in the city with new and uncommon pretensions, requiring a dispensation from the law and established forms of the commonwealth. The service he had conducted in Spain being of the nature of a civil war of Roman citizens against one another, or against subjects of the empire, with a Roman general at their head, did not give a regular claim to a triumph : The victor himself was yet under the legal age, and had not passed through any of the previous steps of Quæstor, Ædile and Prætor ; yet on the present occasion he not only insisted on a triumph, but put in his claim likewise to an immediate nomination to the office of Consul.

It now became extremely evident, that the established honours of the state, conferred in the usual way, were not adequate to the pretensions of this young man : that he must have new and singular appointments, or those already known bestowed on him in some new and singular manner. His enemies observed, that he avoided every occasion of fair competition with his fellow-citizens ; that he took a rank of importance to himself, which he did not submit to have examined ; and that he ever aspired to an eminence in which he might stand alone, or in the first place of public consideration and ho-

* Aul. Gellius, lib. v.

nour. His partisans, on the contrary, stated the extraordinary favours bestowed on him, as the foundation of still farther distinctions *. In enumerating his services upon his return from Spain, they reckoned up, according to Pliny, eight hundred and seventy-one towns, from the Pyrenees to the extremities of that country, which he had reduced ; observed that he had surpassed the glory of all the officers who had gone before him in that service ; and, in consequence of these representations, though still in a private station, he was admitted to a triumph, or partook with Metellus in this honour.

Pompey had hitherto, in all the late disputes, taken part with the aristocracy ; but not without suspicion of aiming too high for republican government of any sort. While he supported the Senate, he affected a kind of distinction superior to those who composed it, and was not content with equality, even among the first ranks of his country. He acquiesced, nevertheless, in the mere show of importance, and did not insist on prerogatives which might have engaged him in contests, and exposed his pretensions to too near an inspection. Upon his approach at the head of an army from Spain, the Senate was greatly alarmed ; but he gave the most unfeigned assurances of his intention to disband his army as soon as they should have attended his triumph. The Senate accordingly gave way to this irregular pretension, and afterwards to the pretension, still more dangerous, which, without any of

* Vid. Cicer. pro Leg. Manilia.

the previous conditions which the law required, he
U. C. 683. made to the Consulate. Crassus, who ha-
M. Licin. ving been Praetor in the preceding year,
Crassus, now stood for the same office, entered in-
Cn. Pomp. to a concert with Pompey, by which, not-
Magnus. notwithstanding their mutual jealousy of each other, they joined their interests, and were elected toge-
ther.

Under the administration of these officers, some important laws are said to have passed, although most of the particulars have escaped the notice of those from whom our accounts are taken. It appears that Pompey now began to pay his court to the popular faction : and, though he professed to support the authority of the Senate, wished to have it in his power, on occasion, to take the sense of what was called the assembly of the people against them, or, in other words, to counteract them by means of the popular tumults which bore this name.

The Tribunes, Quinctius and Palicanus, had for two years successively laboured to remove the bars which had, by the constitution of Sylla, been opposed to the abuses of the tribunitian power. They had been strenuously resisted by Lucullus and others, who held the office of Consul, during the dependence of the questions which had arisen on that subject. By the favour of Pompey and Crassus, however, the Tribunes obtained a restitution of the privileges which their predecessors, in former times of the republic, had so often abused ; and, together with the security of their sacred and inviolable character, and their negative in all proceedings of the state, they

were again permitted to propose laws, and to harangue the people ; a dangerous measure, by which Pompey at once rendered fruitless that reformation which was the only apology for the blood so lavishly shed, not only by Sylla, but likewise by himself. Caius Julius Cæsar, at the same time, having the rank of Legionary Tribune conferred upon him by the public choice, was extremely active in procuring those popular acts ; a policy in which he was more consistent with himself than Pompey, and only pursued the course of that party with which he had been associated in his earliest years *.

Under this Consulate, and probably with the encouragement of Pompey, the law of Sylla, respecting the judicatures, was, upon the motion of the Praetor Aurelius Cotta, likewise repealed ; and it was permitted to the Praetors to draught the judges

Lex Aurelia Judicaria. in equal numbers from the Senate, the Knights, and a certain class of the people †, whose description is not clearly ascertained. This was, perhaps, a just correction of Sylla's partiality to the Nobles : and, if it had not been accompanied by the former act, which restored to the Tribunes powers which they had so often abused, might have merited applause.

In the mean time, corruption spread with a hasty pace ; among the lower ranks, in contempt of government ; among the higher, in covetousness and prodigality, with an ardour for lucrative appointments, and the opportunity of extortion in the pro-

* Suetonius in C. Jul. Cæsar, lib. i.

† Tribuni Aërarii.

vinces. As the offices of state at Rome began to be coveted with a view to the employments abroad, to which they conducted, Pompey, in order to display his own disinterestedness, with an oblique reproof to the nobility who aspired to magistracy with such mercenary views, took a formal oath in entering on his Consulate, that he would not, at the expiration of his office, accept of any government in the provinces. By this example of generosity in himself, and by the censure it implied of others, he obtained great credit with the people, and furnished his emissaries, who were ever busy in sounding his praise, with a pretence for enhancing his merit. It may, however, from his character and policy in other instances, be suspected, that he remained at Rome with intention to watch opportunities of raising his own consideration, and of obtaining, by the strength of his party, any extraordinary trust or commission of which the occasion should arise.

This adventurer, in the administration of his Consulate, had procured the revival of the Censors' functions. These had been intermittent about sixteen years, during great part of which time the republic had been in a state of civil war; and the prevailing parties, in their turns, mutually had recourse to acts of banishment, confiscations, and military executions against each other. In such times, even after the sword was sheathed, the power of Censor, in the first heat of party-resentment, could not be safely intrusted with any of the citizens; and the attempts which were now made to revive it, though in appearance successful, could not give it a perma-

nent footing in the commonwealth. The public was arrived at a state in which men complain of evils, but cannot endure their remedies.

L. Gellius Poplicola and Cn. Cornelius Lentulus, being intrusted, in the character of Censors, with the making up of the rolls of the people, mustered four hundred and fifty thousand citizens. They purged the Senate with great severity, having expunged sixty-four from the number, and among these C. Antonius, afterwards Consul, assigning as their reason, that he, having the command on the coasts of Asia and Greece, had pillaged the allies, and mortgaged and squandered his own estate. But what most distinguished this Censorship was an incident, for the sake of which, it is likely, the solemnity of the Census had been now revived.

It was customary on such occasions for the Knights to pass in review, each leading his horse before the Censors. They were questioned respecting their age, the number of their campaigns, and the persons under whose command they had served ; and if they had been already on the military list the ten years prescribed by law, they received an exemption for the future, and were vested with the privileges which were annexed to this circumstance. At this part of the ceremony the people were surprised to see their Consul, Pompey the Great, descending into the market-place, leading his horse in quality of a simple Knight, but dressed in his Consular robes, and preceded by the Lictors. Being questioned by the Censors, whether he had served the stated number of years, he answered that he had, and all of them in ar-

mies commanded by himself. This farce was received with loud acclamations of the people; and the Censors having granted the customary exemption, rose from their seats, and, followed by a great multitude of the people, attended this Equestrian Consul to his own house *.

It is observed that Crassus and Pompey, although they entered on office in concert, yet differed in the course of their administration on subjects which are not particularly mentioned. As Crassus was in possession of great wealth, he endeavoured, by his liberalities, to vie with the imposing state and popular arts of his colleague. In this view he gave a public entertainment at ten thousand tables, and distributed three months' provision of corn to the more indigent citizens. To account for his being able to court the people in so sumptuous a manner, it is said, that having inherited from his father a fortune of three hundred talents, or near sixty thousand pounds; he increased it, by purchasing at a low price the estates of those who were prescribed in the late troubles, and by letting for hire the labour of a numerous family of slaves, instructed in various arts and callings; and by these means was become so rich, that when, some time after this date, he was about to depart for Asia, and consecrated the tenth part of his estate to Hercules, he was found to possess seven thousand one hundred talents, or about

* Plutarch. in Pompeio. Pompey, it is probable, was still no more than a Knight, having a seat in the Senate as magistrate, without being yet placed on the rolls.

one million three hundred and seventy thousand and three hundred pounds Sterling *.

Pompey, at the expiration of his year in the Consulship, agreeably to the oath he had taken, remained at Rome in a private station ; but, still unchange'd in his manner, maintained the reserve and statelessness of a person raised above the condition of a mere citizen, or even above that of the first Senators of consular rank. Other candidates for consideration and public honours endeavoured, by their talents and eloquence, to make themselves necessary to those who had affairs to solicit with the public, or even to make themselves feared by those who were obnoxious to the law. They laboured to distinguish themselves as able advocates or formidable accusers at the bar, and to strengthen their interest by procuring the support of those to whom their talents either were or might become of importance. Pompey, on the contrary, stating himself as an exception to common rules, avoided the courts of justice and other places of ordinary resort, did not commit his talents to the public judgment, nor present his person to the public view ; took the respect that was paid to him as a right ; seldom went abroad, and never without a numerous train of attendants †. He was formed for the state of a prince, and might have stolen into that high station even at Rome, if men, borne to equality, could have suffered an elevation which no mea-

* Plutarch. in Crasso. As the interest of money was prohibited at Rome under the denomination of usury being clandestine, was in fact unlimited, the annual return for such a capital must have been immense.

† Plutarch. in vit. Pomp.

sure of personal merit could at once have procured ; or had been willing, when troubled with faction, to forego their own importance, in order to obtain peace and the comforts of a moderate government. The pretensions of Pompey, however, were extremely disagreeable to the Senate, and not otherwise acceptable, even to the people, than as they tended to mortify the pride of that order of men.

The Consulate of Crassus and Pompey was succeeded by that of Q. Hortensius and Q. Cæcilius Metellus. In the distribution of provinces, Crete, with the command of an armament to be sent into that island, fell to the lot of Hortensius ; but this citizen, having acquired his consideration by his eloquence in pleading the causes of his friends, and being accustomed to the bar, perhaps in a degree that interfered with the ordinary military character of a Roman officer of state, declined to accept of this government ; leaving it, together with the command of the army that was to be employed in the reduction of the island, to his colleague Metellus, who afterwards received the appellation of Creticus, from the distinction he acquired in this service.

U: C. 684.
Q. Horten-
sius, Q. Cæ-
cilius Metel-
lus Creticus.

The Cretans, and most of the other seafaring people on the confines of Asia and Europe, had in the late war taken an active part against the Romans. They had, by the influence of Mithridates, and by their own disposition to rapine and piracy, been led to prey upon the traders, and upon the carriers of revenue who were frequently passing to Rome from the provinces. The desire of sharing in the profits

that were made by this species of war, had filled the sea with pirates and freebooters, against whom the Senate had employed a succession of officers with extensive commands, on the coasts both of Asia and Europe. Among others, M. Antonius had been sent on this service, and was accused of abusing his power, by oppressing the Sicilians, and the people of other maritime provinces, who were innocent of the crimes he was charged to repress. In a descent on the island of Crete he was defeated and killed *, and left the Romans engaged with the people of that island in a war which was thought to require the presence of one of the Consuls. And the lot, as has been observed, having fallen on Hortensius, was transferred to his colleague Metellus.

Such was the state of affairs, and such the destination of the Roman officers, when Lucullus U. C. 685. L. Cœc. received from Tigranes a return to the demand which he made of having Mithridates Metellus, Q. Mar. Rex. delivered up as his prisoner. This prince, at the arrival of Clodius, who bore the message, had made a progress to the coasts of Phœnicia, and to the farther extremities of his empire. To verify the state and title which he assumed of King of Kings, he affected, when he mounted on horseback, to have four captive sovereigns to walk by his stirrup, and obliged them, on other occasions, to perform every office of menial duty and servile attendance on his person. Lucullus, instead of the style which was affected by this prince, had accosted him

* Pædianus in Orat. in Verrem.

in his letter only with the simple title of king. His messenger, however, was admitted to an audience, and made his demand that Mithridates, a vanquished enemy, whose territories were already in the possession of the Romans, should be delivered up to adorn the victor's triumph. This, if refused, said the bearer of the message, the Roman general would be entitled to extort by force, and would not fail, with a mighty army for that purpose, to pursue his fugitive wherever he was received and protected. The king of Armenia, unused even to a plain address, much less to insult and threats, heard this demand with real indignation ; and though, with an appearance of temper, he made offer of the customary presents and honours to the person who delivered the message, he took his resolution against those from whom it came, and from having barely permitted Mithridates to take refuge in his kingdom, determined to espouse his cause. He gave for answer to Clodius, that he would not deliver up the unfortunate king, and that, if the Romans invaded his territories, he knew how to defend them. He soon afterwards admitted Mithridates into his presence, and determined to support him with the necessary force against his enemies.

Upon receiving this answer from Tigranes, Lutullus resolved without delay to march into Armenia. He chose for this expedition two legions and a body of horse, on whom he prevailed, though with some difficulty, to enter on a new war at a time when they flattered themselves that their labours were ended, and that the rewards they expected

were within their reach. With hasty marches he arrived on the Euphrates, and passed that river before the enemy were aware of his approach. Tigranes treated the first reports of his coming with contempt, and ordered the person who presumed to bring such accounts to be punished. But being assured, beyond a possibility of doubt, that an enemy was actually on his territories, he sent Metrodorus, one of his generals, at the head of a considerable force, with orders to take alive the person of Lucullus, whom he was desirous to see, but not to spare a man of the whole army besides.

With these orders, the Armenian general set out on the road by which the Romans were known to advance, and hastened to meet them. Both armies, on the march, had intelligence of each other. Lucullus, upon the approach of the enemy, halted, began to intrench, and, in order to gain time, detached Sextilius, with about three thousand men, to observe the Armenians, and, if possible, without risking an action, to amuse them till his works were completed. But such was the incapacity and presumption of the enemy, that Sextilius, being attacked by them, gained an entire victory with but a part of the Roman army ; Metrodorus himself being killed, his army was put to the rout with great slaughter.

After this victory, Lucullus, in order the more effectually to alarm and to distract the Armenians, separated his army into three divisions. With one he intercepted and dispersed a body of Arabs, who were marching to join the king ; with another he sur-

prised Tigranes himself, in a disadvantageous situation, and obliged him to fly with the loss of his attendants, equipage, and the baggage of his army. At the head of the third division he himself advanced to Tigranocerta, and invested that place.

After these disasters, Tigranes made an effort to assemble the force of his kingdom ; and bringing into the field all the troops of his allies, as well as his own, mustered an army of one hundred and fifty thousand heavy-armed foot, fifty-five thousand horse, and twenty thousand archers and slingers. He was advised by Mithridates not to risk a battle, but to lay waste the country from which the Romans were supplied with provisions, and thereby oblige them to raise the siege of Tigranocerta, and re-pass the Euphrates, with the disadvantage of having an enemy still in force to hang on their rear. This counsel of Mithridates, founded in the experience he had so dearly bought, was ill suited to the presumption of the king. He therefore advanced towards the Romans, impatient to relieve his capital, and the principal seat of his magnificence. Lucullus, trusting to the specimens he had already seen of the Armenian armies, ventured to divide his force, and without raising the siege, marched with one division to meet this numerous enemy. In the action that followed, the Armenian horse being in the van, were defeated and driven back on the foot of their own army, threw them into confusion, and gave the Romans an easy victory, in which, with very inconsiderable loss to themselves, they made a great slaughter of the enemy. The king, himself, to avoid

being known in his flight, unbound the royal diadem from his head, and left it to become a part in the spoils of the day.

Mariæus, who commanded in Tigranocerta, hearing of his master's defeat, and fearing a revolt of the Greeks and other foreigners, who had been assembled by force in that settlement, ordered them to be searched and disarmed. This order they looked on as the prelude to a massacre, and crowding together defended themselves with the clubs and other weapons they could seize. They surrounded a party that was sent to disperse them, and having by that means got a supply of arms, they took possession of a tower which commanded one of the principal gates, and from thence invited the Romans to enter the place. Lucullus accordingly seized the opportunity, and became master of the city. The spoil was great; Tigranes having collected here, as at the principal seat of his vanity, the wealth and magnificence of his court.

Mithridates, who had been present in the late action, met the king of Armenia in his flight; and, having endeavoured to re-establish his equipage and his retinue by a participation of his own, exhorted him not to despair, but to assemble his army anew, and to persist in the war. They agreed, at the same time, on an embassy to the king of Parthia, with offers of reconciliation on the part of Tigranes, who, at this time, was at war with that prince, and of satisfaction on the subjects in contest between them, provided the Parthians would join in the confederacy against the Romans. They endeavoured to per-

suade the king of Parthia, that he was by no means an unconcerned spectator in the present contest; that the quarrel which the Romans now had with the kings of Armenia and Pontus, was the same with that which they formerly had with Philip and with Antiochus, and which, if not prevented, they would soon have with Arsaces, and was no other than his being possessed of a rich territory, which tempted their ambition and avarice. Those republicans, they said, originally had not any possessions of their own, and were grown rich and great only by the spoils of their neighbours. From their stronghold in Italy, they had extended their empire on the West to the coast of the ocean; and if not interrupted by the powerful monarchies which lay in their way, were hastening to reach a similar boundary on the East. The king of Parthia, they added, might expect to be invaded by these insatiable conquerors, and must now determine whether he would engage in a war joined with such powerful allies, of whom one by his experience, the other by his resources, might enable him to keep the danger at a distance from his own kingdom *, or wait until these powers being overthrown, and become an accession to the Roman force, he should have the contest to maintain in his own territory singly and unsupported from abroad. To these representations Arsaces seemed to give a favourable ear, agreed to the proposed confederacy, on condition that Mesopotamia, which he had formerly claimed, was now delivered

* Letter of Mithridates in the fragments of Sallust.

up to him. At the same time he endeavoured to amuse Lucullus with offers of alliance against the king of Armenia.

In this conjuncture, it probably was, that Lucullus, in the apprehension of being superseded and deprived of the honour of terminating the war, made his report that the kingdom of Mithridates was now in his possession, and that the kingdom of Tigranes was also in his power ; and therefore, that the Senate should, instead of a successor, send the usual commission to settle the form of the province, and to make a proper establishment to preserve the territories which he had already subdued. But after these representations were dispatched by Lucullus, it became apparent that the king of Parthia had deceived him with false professions, while he actually made great progress in a treaty with his enemies the kings of Armenia and Pontus, and meant to support them with all his force. In resentment of this act of treachery, or to prevent the effects of it, Lucullus proposed to carry the war into Parthia ; and, for this purpose, ordered the legions that were stationed in Pontus to march without delay into Armenia.

These troops, however, already tired of the service, and suspecting that they were intended for some distant and hazardous enterprise, broke out into open mutiny, and refused to obey their officers. This example was soon afterwards followed by other parts of the army ; and the general was obliged to confine his operations to the kingdom of Armenia. He endeavoured, by passing the mountains near to the sources of the Euphrates and the Tigris, to pe-

ntrate as far as Artaxata, the capital of the kingdom. By this march he forced Tigranes once more to hazard a battle, and obtained a victory ; but his own army, notwithstanding their success, were so much discouraged with the change of climate, which they experienced in ascending the mountains of Armenia, and with the early and severe approach of winter in those high lands, that they again mutinied, and obliged their general to change his plan of the war. He accordingly turned his march to the southward, fell down on Mesopotamia, and, after a short siege, made himself master of Nisibis, a rich city in that territory, where, with other captives, he took Guras, brother to the king, who commanded in the place.

Here, however, the mutinous spirit still continuing to operate in the Roman army, it began to appear, that the general, who had so often overcome the kings of Pontus and Armenia, was better qualified to contend with an enemy, than to win or to preserve the good-will of his own troops. A report being spread that he was soon to be recalled, he, from that moment, lost the small remains of his authority ; the legions deserted their colours, and treated with scorn or indifference all the attempts which he made to retain them.

This mutiny began in that part of the army, which, having been transported into Asia with the Consul Valerius Flaccus at their head, had murdered this general, to put themselves under the command of Fimbria, and afterwards deserted their new leader to join with Sylla. Such crimes, under the late un-

happy divisions of the republic, either remained unpunished, or were stated as merits with the party in whose favour the crime was committed. These legions, however, were, by Sylla, who was not willing to employ such instruments, or to intrust his own fate, or that of the commonwealth, in such hands, left in Asia, under pretence of securing the province; and they accordingly made a considerable part in the armies successively commanded by Murena and by Lucullus. The disposition which they now exhibited, and that of the army in general, to disorder and mutiny, was greatly excited by the factious spirit of Publius Clodius, the relation of Lucullus, who, having himself taken offence at the general, gave this earnest of his future conduct in the state, by endeavouring to stir up rebellion among the troops. "We, " who have already undergone so many hardships," he said, "are still kept on foot to escort the camels " which carry the treasures of our general, and are " made to pursue, without end, a couple of barbarous fugitives over barren desarts and uncultivated " wastes ; while the soldiers of Pompey, after a few " campaigns in Spain, or in Italy, are enjoying the " fruits of their labour in comfortable settlements, " procured by the favour of their leader."

Lucullus was so much aware of the decline of his authority, that he did not venture to hazard an affront by attempting to effect even a mere change of position. He hoped, that while he did not issue any orders of moment, the resolution of his army not to obey him might remain a secret to the enemy. This state of his affairs, however, soon became known to

Mithridates, and encouraged him to hope he might be able to recover his kingdom. That he might not suffer the opportunity to escape him, he fell back into Pontus, with what troops he had then under his command, and, by his authority and influence over his own subjects, soon augmented his force, penetrated among the scattered quarters of the Romans, who were left to occupy the country, and separately surprised or destroyed considerable bodies of their troops. Among these, he attacked and defeated Fabius, the officer who was intrusted with the general command; and this king, though now turned of seventy, exposing his own person in the action, received a wound which stopped him in the pursuit of his victory, and by that means prevented its full effect.

Lucullus, being informed of what had passed in Pontus, had influence enough with the army, now anxious for their own safety, to put them in motion towards that kingdom; but before his arrival, Mithridates had shut up Fabius in Cabira, and defeated Triarius with considerable slaughter. Here again the veteran monarch was wounded; and, to satisfy the troops that he was not dead, was raised up on a platform, where he remained in sight of the army while his wound was dressed. In this last defeat the Romans lost twenty-four legionary Tribunes, one hundred and fifty Centurions, and seven thousand men.

It was not doubted, however, that Lucullus, on his arrival, if the men had been disposed to act under his command, would have been able soon to retrieve his affairs; but he was at this time superseded;

and it was known in the army, that Acilius Glabrio was set out from Rome on his way to succeed him. The legions, therefore, under pretence that Lucullus was no longer their general, or that they themselves, by a decree of the people, had received their dismission, refused to obey him ; and numbers, in fact, began to disband, taking the route of Cappadocia on their return to Italy.

This was the state of affairs when the commissioners, who, upon the report of Lucullus, had been sent by the Senate to settle the kingdom of Pontus in the form of a province, actually arrived. They found the Proconsul destitute of power in his own camp, and Mithridates, whom they believed to be vanquished, again in possession of his kingdom, and joining to the experience of old age all the ardour and enterprise of youth *.

The Roman army in Asia, as a prelude to their present defection, had been taught to contrast the parsimony of Lucullus with the liberality and munificence of Pompey, and from the comparison they made, were impatient to change their leader,—a disposition, which, it is not doubted, Pompey, by his intrigues, and with the aid of his agents, greatly encouraged. He could in reality ill brook the private station to which, by his late oath, in entering on the Consulate, he had bound himself. As he ever studied to support the public opinion of his own importance, he wished for occasions to derive some advantage from that opinion ; but nothing had occur-

* Appian. Bell. Mithridat. Plutarch. in Lucullo. Dio Cassius.

red for two years that was worthy of the high distinction to which he aspired. The command in Asia he coveted the more, that it seemed to be secured to Lucullus by the splendour of his successes, and by the unanimous judgment of the Senate and Nobles, who knew his faithful attachment to their order, and his fidelity to the aristocratical part of the constitution. The difficulties in that service were over, and nothing but the glory of terminating the war remained. Pompey, either from envy to Lucullus, or from a design to open a way to this glory for himself, contributed to the appointment of Glabrio, and to the nomination of the Praetors, who were sent with separate commands into the provinces of Asia and Bithynia. If, upon the change he had thus produced, the war should become unsuccessful, or languish, he had hopes to be called for by the general voice of the people, as the only person fit to bring it to a happy conclusion. Meanwhile a project was started, which was to place him near to this scene of action, and, if judged expedient, was likely to facilitate his farther removal, to the command of the army in Pontus.

The pirates still continued to infest the seas, and were daily rising in their presumption, and increasing in their strength. They were receiving continual accession of numbers from those, who, by the unsettled state of Asia, were forced to join them for subsistence. The impunity which they enjoyed during the distraction of councils at Rome, and the profits they made by their depredations, encouraged many who frequented the seas to engage in the same

way of life. They had been chased, and numbers of them taken, by M. Antonius the orator, by Servilius Isauricus, and last of all, by C. Antonius the father of him who, in the quality of Triumvir, is to become so conspicuous in the sequel of this history. But they had their retreats ; and, upon the least remission of vigilance in the Roman officers, they again multiplied apace, put to sea in formidable squadrons, and embarked such numbers of men, as not only enabled them to scour the seas, but likewise to make descents on the coasts, to enter harbours, destroy shipping, and pillage the maritime towns. They even ventured to appear off the mouth of the Tiber, and to plunder the town of Ostia itself. All the coasts of the empire were open to their depredations. Roman magistrates were made prisoners in passing to and from their provinces ; and citizens of every denomination, when taken by them, were forced to pay ransom, kept in captivity, or put to death. The supply of provisions to Italy was intercepted, or rendered precarious and difficult, and the price in proportion enhanced. Every report on these subjects was exaggerated by the intrigues of Pompey, who perceived, in this occasion of public distress, the object of a new and extraordinary commission to himself.

Frequent complaints having been made, and frequent deliberations held on this subject in the Senate, Gabinius, one of the Tribunes, at last proposed, that some officer of consular rank should be vested, during three years, with absolute powers, in order to put an effectual stop to these outrages, and

to eradicate the cause of them; so as to secure for the future the inhabitants of the coast, as well as to protect the navigation of the seas. As Gabinius was known to be in concert with Pompey, the design of the proposition was manifest; and it was received in the Senate with a general aversion. "For this," it was said, "has Pompey declined the ordinary turn of consular duty upon the expiration of his office, that he might lie in wait for extraordinary and illegal appointments?" Gabinius being threatened with violence if he should persist in his motion, thought proper to withdraw from the assembly.

A report was immediately spread in the city, that the person of the Tribune Gabinius had been actually violated; multitudes assembled at the doors of the Senate-house, and great disorders were likely to follow: it was judged prudent for the Senate to adjourn; and the members, dreading some insult from the populace, retired by separate ways to their own houses. Gabinius, without farther regard to the dissent of the Senate, prepared to carry his motion to the people; but the other nine Tribunes were inclined to oppose him. Trebellius and Roscius, in particular, were engaged to put a stop by their negative to any further proceedings on that business. Pompey, in the mean time, with a dissimulation which constituted part of his character, affected to disapprove the motion of Gabinius, and to decline the commission with which it was proposed to invest him. He had recourse to this affectation, not merely as the fittest means on the present occasion to disarm the envy of the nobles, and to confirm the peo-

ple in their choice ; but still more as a manner of proceeding which suited his own disposition, being no less desirous to appear forced and courted into high situations, than solicited to gain and to hold them. He thus provoked the citizens of his own rank, no less by the shallow arts which he practised to impose on the public, than by the state which he assumed. He could scarcely expect to find a support in the order of nobles, and least of all among those who were likely to become the personal rivals of his fortune in the commonwealth : and yet it is mentioned, that Julius Cæsar, now about two-and-thirty years of age, and old enough to distinguish his natural antagonists in the career of ambition, took part with the creatures of Pompey on this occasion. He was disposed to court the popular faction, and to oppose the aristocracy ; either of which principles may explain his conduct in this instance. He had himself already incurred the displeasure of the Senate, but more as a libertine than as a disturber of the state, in which he had not hitherto taken any material part. In common with the youth of his time, he disliked the Senators, on account of the remaining austerity of their manners, no less than the inferior people disliked them on account of their aristocratical claims to authority and power. But whatever we may suppose to have been his motives, Cæsar, even before he seemed to have formed any ambitious designs of his own, was ever ready to abet those of any desperate adventurer who counteracted the Senate, or set the orders of government at nought ; and seemed to be actuated by a species of instinct, which set him at variance with every form

of a civil or political nature, if it checked the licence of faction, or bore hard on disorderly citizens of any sort *.

On the day in which the question respecting the motion of Gabinius was to be put to the people, Pompey appeared in the Comitium ; and, if we may judge from the speech which is ascribed to him, employed a dissimulation and artifice somewhat too gross even for the audience to which it was addressed. He took occasion to thank the people for the honours he had received ; but complained, that, having already toiled so much in the public service, he still should be destined for new labours. “ You “ have forgotten,” he said, “ the dangers I encoun-“ tered, and the fatigues I underwent, while yet “ almost a boy, in the war with Cinna, in the wars “ in Sicily and in Africa, and what I suffered in “ Spain, before I was honoured with any magis-“ tracy, or was of age to have a place in the Senate. “ But I mean not to accuse you of ingratitude ; on “ the contrary, I have been fully repaid. Your no-“ mination of me to conduct the war with Sertorius, “ when everyone else declined the danger, I consider “ as a favour ; and the extraordinary triumph you “ bestowed in consequence of it, as a very great ho-“ nour. But I must entreat you to consider, that “ continued application and labour exhaust the “ powers of the mind as well as those of the body. “ Trust not to my time of life alone, nor imagine “ that I am still a young man, merely because my “ number of years is short of what others have at-

* Zonaras, Ar. lib. x, c. 5.

"tained. Reckon my services and the dangers to
"which I have been exposed ; they will exceed the
"number of my years, and satisfy you, that I can-
"not much longer endure the labours and cares
"which are now proposed for me. But if this be
"not granted me, I must beg of you to consider
"what loads of envy such appointments are likely
"to draw upon me, from men, whose displeasure, I
"know, you neither do, nor ought to regard, al-
"though to me their envy might be fatal : and I
"confess, that, of all the difficulties and dangers of
"war, I fear nothing so much as this. To live with
"envious persons ; to be called to account for mis-
"carriage, if one fails in the public service ; and
"to be envied, if one succeeds ; who would choose
"to be employed on such conditions ? For these,
"and many other reasons, I pray you to leave me
"at rest ; leave me to the care of my family, and
"of my private affairs. As for the present service,
"I pray you to choose, among those who desire the
"employment, some person more proper ; among
"so many you cannot surely be at a loss. I am
"not the only person that loves you, or that has
"experience in military affairs. There are many,
"whose names, to avoid the imputation of flattery,
"I will not mention."

To this speech Gabinius replied ; and, affecting to believe the sincerity of Pompey's declarations, observed, that it was agreeable to the character of this great man, neither to desire command, nor rashly to accept of what was pressed upon him. "They who are best able to surmount difficulties," he said,

“ are likewise least inclined to engage in them. But
“ it is your business, fellow-citizens, to consider not
“ what is agreeable to Pompey, but what is neces-
“ sary to your own affairs ; not to accept of those
“ who court you for offices, but of those who are fit
“ to discharge the duties of them. I wish we had
“ many persons of this description, besides the man
“ I have proposed to your choice. Did we not all
“ wish for such persons likewise, when we searched
“ among the young and the old for some one to be
“ opposed to Sertorius, and found none but himself?
“ But wishes cannot avail us ; we must take men as
“ they are ; we cannot create them. If there be but
“ one man formed for our purpose, with knowledge,
“ experience and good fortune, we must lay hold of
“ him, and seize him, if necessary, even by force.
“ Compulsion here is expedient and honourable for
“ both parties ; for those who employ it, because it
“ is to find them a person who can conduct their af-
“ fairs ; for him who suffers it, because he is to have
“ an opportunity of serving his country, an object
“ for which no good citizen will refuse to expose his
“ person, or to sacrifice his life.

“ Do you think that Pompey, while yet a boy,
“ was fit to command armies, to protect your allies,
“ to reduce your enemies, to extend your empire ;
“ but that now in the prime of life, ripe in wisdom
“ and experience, he can serve you no longer? You
“ employed the boy ; you suffer the man to be idle.
“ When a private citizen of Equestrian rank, he was
“ fit for war and affairs of state ; now he is a Se-
“ nator, forsooth he is fit for nothing ! Before you

“ had any trial of him, you made choice of him for
 “ the most important trust ; now that you have ex-
 “ perience of his ability, of his conduct, and of his
 “ success, you hesitate. Is the present occasion less
 “ pressing than the former ? Is the antagonist of Ser-
 “ torius not fit to contend with pirates ? But such
 “ absurdities cannot be received by the Roman peo-
 “ ple. As for you, Pompey, submit to the will of
 “ your fellow-citizens. For this you was born,—for
 “ this you was educated. I call upon you as the
 “ property of your country ; I call upon you as
 “ its safeguard and its defence : I call upon you to
 “ lay down your life, if necessary. This I know, if
 “ your country require it, you will not, you cannot
 “ refuse.

“ But it is ridiculous to accost you in this man-
 “ ner ; you who have proved your courage and your
 “ love to your country in so many and such arduous
 “ trials. Be ruled by this great assembly. Despise
 “ the envy of a few, or study the more to deserve
 “ the general favour. Let the envious pine when
 “ they hear of your actions ; it is what they deserve.
 “ Let us be delivered from the evils by which we
 “ are surrounded, while you proceed to end your life
 “ as you began it, with success and with glory.”

When Gabinius had finished his speech, Trebellius, another of the Tribunes, attempted to reply ; but such a clamour was immediately raised by the multitude that he could not be heard. He then, by the authority of his office, forbade the question ; and Gabinius instantly proposed to have the sense of the Tribes, Whether Trebellius had not forfeited the

character of Tribune? Seventeen Tribes were of this opinion, and the eighteenth would have made the majority, when Trebellius thought proper to withdraw his negative. Roscius, another of the Tribunes, intimated by signs (for he could not be heard) that a second should be joined with Pompey in this commission. But the clamour was renewed, and the meeting likely to end in riot and violence. Then all opposition to the motion was dropped. And, in this state of the business, Gabinius, trusting that, in the present humour of the people, no man would dare to oppose the measure, or wishing to increase the honour of Pompey's nomination, by the seeming concurrence of some of the more respectable citizens, called upon Catulus, who was then first on the roll of the Senate, to deliver his opinion, and led him up into the rostra for this purpose.

This citizen, by the equability of his conduct, and by his moderation, though in support of the aristocracy, had great authority even with the opposite party. He began his speech to the people with professions of public zeal, which obliged him to deliver with plainness what he thought was conducive to their good, and which entitled him to a deliberate hearing before they should pronounce on the merits of what he was about to deliver. "If you listen," he said, "something may still be offered to inform your judgment; if you break forth again into disorder and tumults, your capacity and good understanding will avail you nothing. I must begin with declaring my opinion, that powers so great, and for so long a time as are now proposed for

“ Pompey, should not be committed to any single
“ citizen whatever.

“ The precedent is contrary to law, and in itself
“ in the highest degree dangerous to the state.
“ Whence came the usurpations of Marius, but from
“ the habit of continual command ; from his being
“ put at the head of every army, intrusted with every
“ war, and no less than six times re-elected Consul
“ in the space of a few years ? What inflamed to such
“ a degree the arrogant spirit of Sylla, but the con-
“ tinual command of armies, and the exorbitant
“ power of Dictator ? Such is human nature, that in
“ age, as well as in youth, we are debauched with
“ power ; and if inured for any time to act as sto-
“ riors, we cannot submit afterwards to the equal
“ and moderate station of citizens..

“ I speak not with any particular reference to
“ Pompey ; I speak what the law requires, and what
“ I am sure is for your good. If high office and
“ public trust be an honour, every one who has pre-
“ tensions should enjoy them in his turn ; if they be
“ a load or a burden, every one ought to bear his
“ part. These are the laws of justice and of repub-
“ lican government. By observing them, republics
“ have an advantage over most other states. By
“ employing many men in their turns, they educate
“ and train many citizens for every department, and
“ have numbers amongst whom they may choose
“ the fittest to serve on every particular emergence.
“ But if we suffer one or a few to engross every of-
“ fice or service of moment, the list of those who
“ are qualified for any such trust will decrease in

" proportion. If we always recur to the same person in every trying occasion, we shall soon have no other person to employ. Why were we so much at a loss for experienced commanders, when Sertorius appeared to threaten Italy with an invasion? Because command, for a considerable time before that period, had been engrossed by a few, and those few alone had any experience. Although, therefore, I have the highest opinion of Pompey's abilities and qualification for this service; I must prefer to his pretensions the public utility, and the express declaration of the laws.

" You annually elect Consuls and Praetors: to what purpose? to serve the state? or to carry for a few months the ensigns of power? If to serve the state, why name private persons with unprecedented commissions, to perform what your magistrates are either fit to perform, or are not fit to have been elected?

" If there be any uncommon emergency, that requires more than the ordinary exertions of government, the constitution has provided an expedient: You may name a Dictator. The power of this officer has no bounds, but in respect to the place in which it is to be exercised, and to the time during which it is to last. It is to be exercised within the limits of Italy, where alone the vitals of the state can be exposed to any great or pressing attack; it is limited to six months, a sufficient period in which to remove the cause of any sudden alarm. But this unlimited power, which is now proposed for so long a time, and over the whole

“ empire, must end in calamities, such as this and
“ other nations have suffered from the ambition and
“ usurpation of arbitrary and presumptuous men.
.. “ If you bestow unlimited power by sea and by
“ land on a single man, in what manner is he to ex-
“ ercise his power? Not by himself in person, for
“ he cannot be every where present; he must have
“ lieutenants or substitutes who act under his orders.
“ He cannot even attend to what is passing at once
“ in Egypt and in Spain, in Africa, in Syria, and in
“ Greece. If so, then why may not those who are
“ to act be officers named by you, and not by any
“ intermediate person; accountable to you, and not
“ to another; and in the dangers they run, anima-
“ ted with the prospect of honour to themselves, not
“ to a person who is unnecessarily interposed be-
“ tween them and their country? Gabinius proposes
“ to invest this officer with authority to name many
“ lieutenants; I pray you to consider, whether these
“ officers should depend upon any intermediate per-
“ son, or upon yourselves alone? and whether there
“ be sufficient cause to suspend all the legal powers,
“ and to supersede all the magistrates in the com-
“ monwealth, and all the governors of provinces in
“ every part of your empire, in order to make war
“ on pirates?”

So much of what Catulus is supposed to have delivered on this occasion, is preserved among the Fragments of Dion Cassius *. It is mentioned by others, that the audience expressed their good-will

* For these speeches, see Fragments of Dio. Cassius, lib. xxxvi.

and respect for this Senator in a compliment, which they paid to him, probably near the close of his speech, when urging some of his former arguments, he asked, “ If this man, to whom alone, by thus employing him in every service, you give an opportunity of acquiring the skill and habits of a statesman or soldier, should fall, to whom will you next have recourse ? ” The people answered, with a general acclamation, *To yourself**. They revered, for a moment, the candour and ability of this eminent citizen, but could not withstand the arts of Pompey, and the tide of popularity which then ran so high in his favour.

This day being far spent in debate, another day was appointed in which to collect the votes, when a decree passed to vest Pompey with the supreme command over all the fleets and armies of the republic, in every sea without distinction or limit, and on every coast within four hundred stadia, or fifty miles of the shore. This commission took place in Italy, and extended throughout every province, during three years from the time of the act being passed.

As Pompey owed these extraordinary powers to the Tribune Gabinius, he intended to have employed him next in command to himself; but the law which excluded the Tribunes from succeeding to any public employment in the first year after the expiration of their office, stood in the way of this choice; and Pompey did not persist in it.

* Cicer. pro Lege Manilia. cap. 20

Upon the publication of an edict investing an officer of so much renown with such mighty powers for restoring the navigation of the seas, corn, and every other article of importation at Rome, considerably fell in their price. The friends of Pompey already triumphed in the success of their measure, and he himself soon after, notwithstanding the meanness of the enemy opposed to him, gained much credit, by the rapid, decisive and effectual measures he took to obtain the end of his appointment. Although it was the middle of winter, a season too rough, even in the Mediterranean, for such shipping as was then in use, he gave orders to arm and put to sea as many vessels as could be collected or fitted out in every maritime station. In a little time he had returns of two hundred and seventy galleys fit for service, one hundred and twenty thousand foot, and four thousand horse embodied within the limits to which his commission extended. That the pirates might be every where attacked at once, and find no refuge by changing their usual places of retreat, he divided the coasts of the empire into separate districts, appointed lieutenants with full powers in each, assigned their stations, and allotted their quotas of shipping and troops. He himself, with a squadron of sixty ships, proposed to inspect the whole, or to give his presence where it should be required. He began with visiting the ports of Spain and Gaul, and the seas of Sardinia and Corsica; and in passing from thence, he himself went on shore, and travelled by land, while his squadron, coasting round the peninsula of Italy, had orders to join him

at Brundisium. In this journey, upon his approach to Rome, he enjoyed, in all respects, the state of a great monarch, was received with acclamations by the people, and was courted by multitudes of every condition who went forth to receive him. All his complaints and representations were received as commands. The Consul Piso, being supposed not to forward his levies with sufficient alacrity, would have been degraded, if Pompey himself had not interposed to prevent a motion which the Tribune Gabinius intended to make for this purpose.

The fleet being arrived at Brundisium, Pompey hastened to re-embark, and from thence passed by the stations of his several lieutenants in the seaports of Macedonia and Greece, to those of Pamphylia and Cilicia, which were the principal resort of the pirates. Such of these banditti as he captured in his way were treated with mildness; and this circumstance, together with the great preparations which were reported from every quarter to be making against them, with the small hopes they had of being able to escape, induced them, in great numbers, to surrender themselves. In the bay of Cilicia he found a squadron of their ships assembled, and ready to cover the harbours at which they had been accustomed to collect their naval stores, and to lodge their booty. They separated, however, upon his appearance, took refuge in different creeks of that mountainous shore, and afterwards surrendered at discretion, delivering up all the forts they had erected, with all their stores of timber, cordage,

and sails, of which they had made a considerable provision.

By these means the war was finished about the middle of summer, six months after the nomination of Pompey to this command. In that time seventy-two galleys were sunk, three hundred and six were taken, and a hundred and twenty piratical harbours or strongholds on shore were destroyed. Ten thousand of the pirates were killed in action, and twenty thousand, who had surrendered themselves, remained prisoners at the end of the war. These Pompey, having sufficiently deprived of the means of returning to their former way of life, transplanted to different parts of the continent, where the late or present troubles, by thinning the inhabitants, had made room for their settlement. Upon this occasion he repeopled the city of Soli in Cilicia, which had been lately laid waste, and forcibly emptied of its inhabitants by Tigranes, to replenish his newly established capital of Tigranocerta in Armenia. After this re-establishment of Soli, the place, in honour of its restorer, came to be known by the name of Pompeiopolis *.

Whilst this successful commissioner was thus employed in disposing of the pirates on the coast of Cilicia, he received a message from Lappa in the island of Crete, then besieged by Metellus, intimating, that the people of this place, although they held out against Metellus, were willing to surrender to Pompey. This sort of preference implying estima-

* Dion. Cassius, lib. xxxvi, c. 20.

tion and popular regard, was one of the temptations which Pompey was supposed unable to resist ; he accordingly, without consulting with Metellus, sent an officer to receive the surrender of Lappa.

Metellus had commanded about two years in Crete, had almost reduced the island, and had a near prospect of that triumph, which he afterwards, with the title of Creticus, actually obtained, on account of this conquest. Pompey's commission, as commander in chief of all the sea and land forces of Rome within fifty miles of the coast, no doubt extended to Lappa ; but it was justly reckoned invidious to interfere in the province of a Proconsul, whose appointment preceded his own. And this step revived all the former imputations against him, that he considered himself as every one's superior, strove to suppress every growing fame, and threw his personal consideration as a bar in the way of every rising merit. Metellus, stung with resentment, and trusting to the support of the Senate, ventured to condemn his orders ; even after Octavius, who had been sent by Pompey to take the inhabitants of Lappa under his protection, had entered the town, and in his name commanded Metellus to desist from the attack of a place already in possession of the Romans. He nevertheless continued the siege, forced the town to surrender, and threatening to treat Octavius himself as a rebel, obliged him to be gone from the island. The Senate, without otherwise deciding the controversy which was likely to arise on this subject, afterwards acknowledged Me-

Metellus as the conqueror of Crete, and decreed him a triumph in that capacity *.

The dispute, however, at this time, might have led to disagreeable consequences, if Pompey, while he was preparing to pass into Crete against Metellus, had not found another object of more importance to his plan of greatness †. Lucullus had always appeared to him a rival in power and consideration more formidable than Metellus, and the war in Pontus and Armenia likely to furnish a more ample field of glory than the destruction of pirates.

Mithridates, though once nearly vanquished, was, by means of the distractions which, communicating from the popular factions at Rome, had infected the army of Lucullus, enabled to renew the war with fresh vigour. Knowing that the Roman general was no longer obeyed, he not only obtained possession, as has been mentioned, of his own kingdom, but, together with Tigranes, began to act on the offensive, and made excursions even into Cilicia. Aciilius Glabrio, the Proconsul appointed to succeed in the command of the Roman army, hearing the bad state of affairs in Pontus, stopped short in Bithynia, and even refused to furnish Lucullus with the reinforcements he had brought from Italy. In these circumstances, the province of Asia, likely to become a principal source of revenue to the commonwealth, was in imminent danger of being wrested from their hands; and the friends of Pompey seized

* Liv. Epit. Plutarch. in Pompeio. Dion. Cass. lib. xxxv.

† Dion. Cass. lib. xxxvi, c. 28.

this opportunity to propose a farther enlargement of his powers. Manilius, one of the Tribunes, in concert with Gabinius, moved the people to extend his commission to the provinces of Phrygia, Bithynia, Cappadocia, and Pontus ; and of course to commit the war in Armenia and Pontus to his direction. This motion was strenuously opposed by Catulus, Hortensius, and all the principal members of the Senate. It was supported by Marcus Tullius Cicero, and by Caius Julius Cæsar, who both intended, on this occasion, to court the popular party, by espousing the cause of a person so much in favour with the people.

Cicero was one of the first of the Romans who rested his consideration entirely on civil accomplishments, and who became great by the services he was qualified to render his friends in a civil capacity, without any pretensions to the merit of a soldier. The character of a pleader was become one of the most powerful recommendations to public notice, and one of the surest roads to consequence and civil preferment. Cicero, with a fine genius and great application, was supposed to excel all who had gone before him in this line of pursuit. His talents were powerful instruments in his own hands; they rendered him necessary to others, and procured him the courtship of every party in its turn. He was understood to favour the aristocracy, and was inclined to support the Senate, as the great bulwark of the state, against the licence of the populace, and the violence of factious leaders. But being now Prætor, with a near prospect of the Consulate, he sacrificed

much to his ambition in the pursuit of preferments, which were new in his family, and which the ancient nobility were disposed to envy. His speech, upon the motion of Manilius, was the first he had ever made in a political character: it is still extant, and does more honour to his talents as a pleader, than to his steadiness in support of the constitution and government of his country *. He turned aside, by artful evasions, the wise counsels of Hortensius and Catulus; and, under pretence of setting forth the merits of Pompey, and of stating precedents in his favour, dazzled his audience, by enumerating the irregular honours which they themselves had already conferred on this object of their favour.

With such able advocates, in a cause to which the people were already so well disposed, the interest of Pompey could not miscarry; and an addition was accordingly made to his former commission, by which he became in reality sovereign of the fairest part of the empire. Upon the arrival of this news in Cilicia, where he then was, he affected surprise and displeasure. "Are my enemies," he said, "never to give me any respite from war and trouble?" He had talents, undoubtedly, sufficient to support him in the use of means less indirect; but a disposition to artifice, like every other ruling passion, will stifle the plainest suggestions of reason, and seems to have made him forget on the present occasion, that his own attendants at least had common penetration. They turned away from the farce which he acted

* Cicer. Orat. pro lege Manilia.

with shame and disgust * ; and he himself made no delay in showing the avidity with which he received what he thus affected to dislike ; laid aside all thoughts of other business ; immediately dispatched his orders to all the provinces that were now subjected to his power ; and, without passing his mandates through the hands of Lucullus, summoned Mithridates, then with an army of between thirty and forty thousand men on the frontier of Pontus, to surrender himself at discretion. This prince, being then in treaty with Phraates, who had lately succeeded his father Arsa-
ces in the kingdom of Parthia, and being in expec-
tation of a powerful support from that quarter, re-
fused to listen to this imperious message ; and being
disappointed in his hopes of assistance from the Par-
thians, and finding that Phraates had joined in a
league with his enemies, he endeavoured to pacify
the Roman general ; and finding that his advances
for this purpose had no effect, he prepared for a vi-
gorous resistance.

Pompey set out for Pontus, and in his way had an interview with Lucullus, who was then in Galatia. They accosted each other at first with laboured ex-
pressions of respect and of compliment on their re-
spective services, but ended with disputes and sharp altercations. Pompey accused Lucullus of precipi-
tation, in stating the kingdom of Pontus as a Ro-
man province, while the king himself was alive and
at liberty. Lucullus suspected that the late mutiny
had been fomented by the emissaries of Pompey, to

* Plutarch. in Pompeio.

make way for his own succession to the command. He persisted in maintaining the propriety of the report which he had made to the Senate, in which he had represented the kingdom of Pontus as conquered, and in which he had desired that commissioners should be sent as usual to secure the possession ; observed that no province could be kept, if the troops stationed to preserve it refused to obey their general ; that if such disorders were made the engine of polities in the competition of candidates for office, the republic had worse consequences to fear than the loss of any distant province ; that although the fugitive king had taken advantage of the factions at Rome and in the army, to put himself again at the head of some forces, he had not recovered any considerable portion of his kingdom, nor at the arrival of the commissioners of the Senate, been able to disturb them in settling the province ; that there was then nothing left for a successor, but the invidious task of snatching at the glory which had been won by another.

From this conference Pompey entered on the command with many indications of animosity to Lucullus ; he suspended the execution of his orders ; changed the plan of his operations ; remitted the punishments, and recalled the rewards he had decreed to particular persons, and in a manner which seemed to justify the suspicion of his having encouraged the late disorders, suffered them to pass with impunity ; and treated with the usual confidence even the legions which had refused to obey the orders of their general. His own authority, in the outset, seemed

to be secured by the animosity of the army to their late commander, and by their desire to contrast their own conduct, and the success of the war under their present leader, with that which had taken place under his predecessor. Finding himself, therefore, at the head of numerous and well-affected forces, both by sea and by land, he covered the coasts of the Aegean and Euxine Seas with his galleys, and, at the head of a great army, advanced in search of the enemy.

Mithridates, upon the approach of Pompey, contented retiring before him towards the Lesser Armenia, laid waste the country through which the Roman army was to pass, endeavouring to distress them by the want of provisions and forage.

For several days successively, the armies encamped in sight of each other. Mithridates took his posts in such a manner, that he could not be safely attacked; and as his object was to pass the Euphrates without being forced to a battle, he generally decamped in the night, and by his superior knowledge of the country, passed through ways in which the Roman army could not hastily follow without manifest danger of surprise. Pompey, sensible that, upon this plan of operation, the king of Pontus must effect his retreat, took a resolution to pass him by a forced march, not in the night, but in the heat of the day, when the troops of Asia were most inclined to repose. If he should succeed in this design, and get between their army and the Euphrates, he hoped to force them to a battle, or oblige them to change their route. Accordingly, on the day he had cho-

sen for this attempt, he doubled his march, passed the enemies camp at noon-day unobserved, and was actually posted on their route, when they began to decamp, as usual, on the following night. In the encounter which followed, having all the disadvantages of a surprise, and in the dark, against an army on its march, and little accustomed to order, he gained a decisive victory, in which he cut off or dispersed all the forces on which the king of Pontus had relied for the defence of his kingdom *.

Mithridates escaped with a few attendants; and, in this extremity, proposed to throw himself again into the arms of Tigranes; but was refused by this prince, who was himself then attacked by a rebellion of his own son. Upon this disappointment he fled to the northward, passing by the sources of the Euphrates to the kingdom of Colchis, and from thence, by the eastern coasts of the Euxine, to the Scythian Bosphorus, now the Straits of Cossa, in order to take refuge in the Chersonesus, or Crim Tartary, at Panticapæa, the capital of a kingdom which he himself had acquired, and which he had bestowed on Machares, one of his sons. Upon his presenting himself at this place, he found that Machares had long since abandoned his father's fortunes; and, upon hearing of the ill state of his affairs on his first flight from Lucullus into Armenia, had sent, as an offering of peace, a golden crown to that general, and sued for the protection of the Romans. The father, highly provoked with this act of pusillanimity or trea-

* Dio. Cass. lib. xxxvi, c. 52.

chery, assembled a force among his Scythian allies, and, deaf to all offers of submission or entreaties of this undutiful son, dragged him from the throne, and either ordered him to be put to death, or made his situation so painful, that he thought proper to put an end to his own life.

In this manner Mithridates entered anew on the possession of a kingdom, in which he had not only a safe retreat, but likewise the means of executing new projects of war against his enemies. By the maxims of the Romans, which Pompey himself had urged in his late dispute with Lucullus, no kingdom was supposed to be conquered, till the king was either killed, taken, or forced to surrender; and the Roman general, by this flight of the king of Pontus, found himself under a necessity either of pursuing him into his present retreat, or of doing what he himself had blamed in his predecessor, by making his report of a conquest before it was fully accomplished. While he was deliberating on the measures to be taken in these circumstances, he was invited by the younger Tigranes, son to the king of Armenia, then in rebellion against his father, to enter with his army into that kingdom, and to give judgment on the differences subsisting between the father and the son.

In consequence of this invitation, Pompey marched into Armenia, joined the rebel prince, and, under pretence of supporting the son, was about to strip the father of his kingdom, when this monarch, as usual, with a meanness proportioned to the presumption with which he had enjoyed his prosperity,

now resolved to cast himself entirely upon the victor's mercy. For this purpose he desired to be admitted into Pompey's presence, and, with a few attendants, presented himself for this purpose. Being told, at the entrance of the camp, that no stranger could pass on horseback, he dismounted, and was conducted on foot to the general's presence. In entering the tent, he uncovered his head, and having the diadem in his hand, offered to lay it on the ground at Pompey's feet ; but was told with great courtesy that he might resume it ; that, by submitting himself to the generosity of the Romans, he had not lost a kingdom, but gained a faithful ally *. At the same time, under pretence of reimbursing the expense of the war, a sum of six thousand talents, or about one million one hundred and twenty-eight thousand pounds sterling, was exacted from him ; and he himself, to this great sum which was paid to the state, added a gratuity to the army, of a talent † to each of the Tribunes, ten minæ ‡ to each of the Centurions, and half a mina § to each private man.

Pompey, in disposing of the two Armenias, which were now in his power, allotted Sophene or the Lesser Armenia, on the right of the Euphrates, to Tigranes the son, reserving Syria and Phœnicia, to which Antiochus, the last representative of the Macedonian line, had been restored by Lucullus, together with Cilicia and Galatia, to the disposal of the Romans.

* Dio. Cass. lib. xxxvi, c. 35. Plutarch. in Pompeio. † L. 93, 15a.

‡ L. 32 : 5 : 10. § L. 1 : 12 : 3¹. Vid. Arbuthnot on Ancient Coins.

Tigranes the father, with great submission, acquiesced in this partition ; but the son, who probably expected to have been put in possession of the whole of his father's kingdom, was greatly discontented, and, while Pompey was yet in Armenia, entered into a correspondence with the king of Parthia, and solicited his assistance to overturn the settlement which was now made. On account of these practices, whether real or supposed, this undutiful son of Tigranes was taken into custody, carried into Italy, and made a part in the ornaments of the victor's triumph *.

The Roman general, having in this manner disposed of the kingdom of Armenia, or retained it still farther at the disposal of the Romans, by the confinement of the rebel prince, resumed the thoughts of pursuing Mithridates into his present retreat. For this purpose he left Afranius in Armenia, with a force sufficient to secure his rear, and to prevent any disturbance on this side of the Euphrates. He himself passed the Araxes, and wintered on the Cyrus, or the Cyrrhus, on the confines of Albania and Iberia. In the following summer, having defeated the natives of those countries in repeated encounters, he advanced to the mouth of the Phasis, where he was joined by his fleet, then plying in the Euxine sea, under the command of Servilius. Here he appears to have deliberated, whether he should attempt to pursue Mithridates any farther ; but upon considering the difficulties of the voyage, and of the march

* Plutarch, in Pompeio, ad p. 458.

along a coast and a country entirely unknown, unfurnished with any safe harbour for his ships, or even with any means of subsistence to his army by land, he took his resolution to return, and to avail himself, in the best manner he was able, of the dominions which had been abandoned to him by the flight of their king *. With this resolution he directed his march, by the coast, back into the kingdom of Pontus ; and, finding no resistance, took all his measures as in a conquered province. At one place he found a considerable treasure, which was disclosed to him by Stratonicé, one of the concubines of the king, by whom she had a son named Xiphares. This woman made the discovery on condition that, if her son were taken by the Romans, his life should be spared. But this unhappy son was exposed to other dangers besides those now apprehended by the mother. Mithridates, upon hearing of the price which was paid for the life of Xiphares, ordered him to be slain. " That woman," he said, " should have like-wise bargained with me in favour of her son." At other places the Roman army found the vestiges of great magnificence, joined to monuments of superstition and of cruelty. They found some productions of an art, in which the king was supposed to be master, relating to the composition of poisons, and of their antidotes, and some records of dreams, together with the interpretations †, which had been given by his women.

* Dio. Cass. lib. xxxvii, c. 3. Plutarch. in Pompeio. Appian. in Mithridat.

† Plutarch. in Pomp. p. 462.

From Pontus, Pompey having made a proper disposition of the fleet in the Euxine, to defend the coast against attempts of invasion from Mithridates, whose forces were still formidable on the Bosphorus and the opposite shores, set out for the kingdom of Syria, which he now determined to seize in behalf of the Romans. Lucullus had already, agreeably to the policy of his country, or under pretence of setting the Syrians free, separated their kingdom from the other possessions of Tigranes : but the pretence upon which he acted in this matter being sufficient to prevent his seizing upon Syria as a Roman province, he was content, in the meantime, with restoring it to Antiochus, the last pretender of the Macedonian line, who had lived eighteen years in the greatest obscurity in Cilicia. But Pompey now proposed to complete the transaction, by seizing for the Romans themselves, what the other affected only to restore to the lawful owner * ; and this owner now pleaded in vain against the sentence of Pompey that right of descent from the Macedonian line, which Lucullus had employed to supplant Tigranes †.

On the march into Syria, the Roman general, either in person or by his lieutenants, received the submission of all the principalities or districts in his way, and made the following arrangements. The Lesser Armenia, once intended for the younger Tigranes, he gave to Dejotarus, king of Galatia ‡, who

* Justin. lib. xl, c. 1, et 2.

† Appian. in Mithridat. p. 244.
Eutropius, lib. vi.

remained on the frontier of the empire a faithful dependent, and whose possessions served as a barrier against hostile invasions from that quarter. Paphlagonia was given to Attalus and Pylæmenus, who were liberal tributaries to the Roman officers, and vigilant guards on the frontiers of the empire. Upon his arrival at Damascus, he had many applications from the late subjects or dependents of the Syrian monarchy ; among others, from Hyrcanus and Aristobulus, two brothers contending for the sovereignty of Judea, who now repaired to his tribunal for judgment, and requested the interposition of his power in behalf of the party he should be pleased to favour.

Of these rivals, who were the sons of Alexander, late high-priest of the Jews, Hyrcanus the elder had succeeded to his mother Alexandra, whom the father had left his immediate successor in the kingdom ; but was dispossessed by his younger brother Aristobulus, who, being of a more active spirit, had formed a powerful faction against him among the people.

Hyrcanus took refuge among the Arabs, and prevailed upon Aretas, the chieftain of some powerful tribe of that people, to assist him in recovering the sovereignty of his country. In conjunction with this ally, Hyrcanus accordingly laid siege to Jerusalem, but was disappointed of his object by Scaurus, one of Pompey's lieutenants, who being then in Syria, interposed at the request of Aristobulus, from whom he received a present of three hundred talents *, and

obliged the Arabs to desist from their enterprise. Upon the arrival of Gabinius, whom Pompey had sent before him into Syria, Aristobulus thought proper to make him likewise a present of fifty talents, and by these means remained in possession of Jerusalem at the arrival of Pompey.

It is alleged that each of the contending parties made their presents also to the Proconsul himself; Hyrcanus in particular, that of a beautiful piece of plate, admired for its workmanship and weight, being the model of a spreading vine, with its leaves and fruit in massy gold * ; and such presents merit attention, as they furnish some instances of the manner in which great riches, now in so much request at Rome, were amassed by Roman officers in the course of their services. Besides what they obtained in this manner, it is likely that every conquest they effected, every revolution they brought about, and every protection they granted, was extremely profitable.

Pompey, on hearing the merits of the question between the two brothers, notwithstanding what his lieutenants had done for Aristobulus, declared for Hyrcanus, and advanced towards the city of Jerusalem to execute the decree he had passed. Upon his approach he was again met by Aristobulus, who made fresh offers of submission, and of a public contribution in money; and Gabinius was detached to take possession of the city, in terms of this submission. But upon a report that the friends of Ari-

* Joseph. Antiq. lib. xiv, c. 2.

stobulus, though himself still in the hands of Pompey, refused to admit the Roman detachment, this prince was put in arrest, and the whole army advanced to the walls.

The citizens being divided, those who espoused the cause of Hyrcanus prepared to open the gates of the city, while the others, who were attached to Aristobulus, retired into the temple, and broke down the bridge by which this edifice was joined to the streets, and made every other preparation in that retreat to defend themselves to the last extremity.

The Romans, upon the arrival of Pompey, being joined by the friends of Hyrcanus, took possession of all the principal stations within the walls, and prepared to attack the temple, into which their antagonists had retired. This building had all the advantages of a citadel or fortress, built on a height, surrounded with natural precipices, or with a deep ditch overhung with lofty battlements and towers. To reduce it, Pompey sent for battering engines to Tyre, and cut down all the woods in the neighbourhood to furnish materials for the works he was about to erect. All his attempts being, with great obstinacy, resisted by those who had taken refuge in the Temple ; he observed, in the course of his operations, that the people within, although they at all times defended their own persons, when attacked, yet on the Sabbath-day they did no work, either in repairing any of their own defences, in obstructing or attempting to demolish what the besiegers were erecting. He accordingly took advantage of this circumstance, made no assaults on that day, but con-

tinued his labour in filling up the ditch, and erected such works as were required to cover his approach. In this manner his towers, without interruption, were raised to the level of the battlements, and his engines playing from thence, made great havock among the besieged. These devotees, however, animated with zeal in defence of their Temple, even under the discharge of the enemy's missiles, still continued at the altar to perform their usual rites ; and took so little precaution against the dangers to which they were exposed, that numbers perished in offering up the sacrifices, and mingled their blood with that of the victims.

In the third month after the siege began, one of the towers of the Temple was brought in ruin to the ground ; and Faustus, the son of Sylla, with two Centurions at the head of the divisions they commanded, entered the breach ; and putting all whom they met to the sword, made way for more numerous parties to follow them, and covered the avenues and porches of the Temple with the slain. The priests, who were even then employed in the sacrifices, waited for the enemy with the utmost composure, and, without discontinuing their duties, were slain at the altars. Numbers of the people threw themselves from the precipices ; and others, setting fire to the booths in which they had lodged under the walls of the Temple, were consumed in the flames. About twelve or thirteen thousand perished on this occasion, without any proportional loss to the besiegers, or to those who conducted the storm.

Pompey, being master of the Temple, and struck with the obstinate valour with which it had been defended, had much curiosity to visit the interior recess, for the sake of which he was told that so much blood had been shed, and all his efforts withstood with so much desperation. This place, into which no-one was ever admitted, besides the high-priest, he supposed to contain the sacred emblems of that power who inspired his votaries with so ardent and so unconquerable a zeal. And he ventured, to the equal consternation and horror of his own party among the Jews, as of those who opposed him, to enter with his usual attendants into the Holy of Holies. He found it adorned with lamps, candlesticks, cups, vessels of incense, with their supports, all of solid gold, containing a mass of the richest perfumes, and a sacred treasure of two thousand talents *.

Having satisfied his curiosity, it is mentioned that he respected the religion of the place so much as to have left every part of this treasure untouched, and to have given directions that the Temple itself should be purified, in order to expiate the profanation of which he himself had been guilty. He restored Hyrcanus to the priesthood or sovereignty of Judea, but charged him with a considerable tribute to the Romans, and at the same time stripped the nation of all those possessions or dependencies in Palestine and Celesyria, which had been acquired or held in subjection by their ancestors. Such were

* About L. 386,000.

Gadara, Scythopolis, Hyppus, Pella, Samaria, Marissa, Azotus, Jamana, Arethusa, Gaza, Joppa, and Dora, with what was then called Strato's Tower, and afterwards Cæsarea. Under pretence of restoring these several places to their liberties, they were released from their subjection to the Jews, but in reality annexed to the Roman province of Syria *.

Pompey, now recollecting that he had formerly carried his arms to the shores of the Atlantic, and to the boundaries of Numidia and of Spain ; that he had recently penetrated to the coast of the Euxine, and to the neighbourhood of the Caspian Sea ; in order that he might not leave any part of the known world unexplored by his arms, now formed a project to finish this round of exploits, by visiting the shores of the Asiatic or Eastern Ocean,—a circumstance which was to complete the glory of his approaching triumph, and raise him, as his flatterers were pleased to observe, to a rank above every conqueror of the present or any preceding age †.

But while the Roman Proconsul was employed in the settlement of Syria, in the reduction of Jerusalem, and meditating these farther conquests, Mithridates was busy in making preparations to renew the war. Having heard of the extremities to which the citizens of Rome had been frequently reduced by invasions from Gaul and Africa, and by the insurrections of their own subjects and slaves, he concluded that they were weakest at home, or might be

* Joseph. de Bell. Jud. lib. 1, et vii, et Ant. lib. xiv, c. 6.

† Plutarch. in Pomp. p. 463.

attacked with the greatest advantage in Italy. He again, therefore, resumed the project of marching an army of Scythians by the Danube and the Alps. He visited all the princes in his neighbourhood, made alliances with many, which he confirmed by giving to some of them his daughters in marriage, and persuaded them, by the hopes of a plentiful spoil, to join with him in the project of invading Europe. He even dispatched his agents into Gaul, to secure the co-operation of nations on that side of the world, and trusted that, on his appearance in Italy, many of the discontented inhabitants would become of his party, in the same manner as they had declared for Hannibal ; and that the slaves so lately at open war with their masters would likewise be a plentiful supply of recruits to his army.

These projects, however, appeared to his own nation too hazardous and vast. They were suited to the state of a king who wished to perish with splendour, but not to that of subjects and followers who had humbler hopes, and who chose to be governed by more reasonable prospects of fortune. The king himself, while he meditated such extensive designs, being confined by an ulcer in his face, had been for a considerable time concealed from public view, and had not admitted any person to his presence besides some favourite eunuchs. The minds of his subjects, and of his own family in particular, were much alienated from him by the late acts of barbarous severity against Machares and Xiphares, two of his own children, who, with some others, as we have mentioned, had incurred his resentment.

Pharnaces, another son, still attended the father; and, though disposed to betray him, was much in his confidence. The people of Phanagoria, a town on the shore of the Bosphorus, opposite to the fortress at which the king now resided, together with the inhabitants of the country, pretending a variety of provocations, revolted, and the army, during his confinement, losing the usual awe of his person, mutinied, and acknowledged Pharnaces for king. They assembled round the fortress in which Mithridates was lodged, and which he had garrisoned with a chosen body of men. When he appeared on the battlements, and desired to know their demands : “ To ‘ exchange you,’ they said, ‘ for Pharnaces, an old ‘ king for a young one.’ ” Even while he received this answer, and while many of his guards deserted him, he still hoped that, if he were at liberty, he might retrieve his affairs. He desired, therefore, by repeated messages, to know whether he might have leave to depart in safety ? But none of the messengers he sent with this question being suffered to return, he apprehended that there was a design to deliver him up into the hands of the Romans. Under this apprehension he had recourse to his last resort, a dose of poison, which, it is said, he always carried for use in the scabbard of his sword. Being to apply this sovereign remedy for all his evils, he dismissed, with expressions of kindness and gratitude, such of his attendants as still continued faithful to him ; and being left with two of his daughters, who earnestly desired to die with their father, he allowed them to share in the draught he had prepared,

and saw them expire. But the portion which remained for himself not being likely to overcome the vigour of his constitution, or, as was believed in those credulous times, being too powerfully counteracted by the effect of so many antidotes as he had taken against poison, he ordered a faithful slave who attended him, to perform with his sword what was in those times accounted the highest proof, as it was the last act, of fidelity in a servant to his master.

Accounts of this event were brought to Pompey, while his army was encamped at the distance of some days' march from the capital of Judea, in his way to Arabia. The messengers appeared carrying wreaths of laurel on the points of their spears ; and the army, crowding around their general to learn the tidings, were informed of the death of Mithridates. This they received with acclamations, and immediately proceeded to make all the ordinary demonstrations of joy. Pompey himself, having now accomplished the principal object of the war, dropped his design on Arabia, and directed the march of his army towards Pontus. Here he received the submission of Pharnaces, and, with many other gifts, was presented with the embalmed corpse of the king. The whole army crowded to see it, examined the features and the scars, testifying by these last effects of their curiosity, the respect which they entertained for this extraordinary man. He had, with short intervals, occupied the arms of the Romans during forty years ; and, though he could not bring the natives of Asia to match the legions of Rome, yet he frequently, by

the superiority of his own genius, being firm in distress, rose from misfortune with new and unexpected resources. He was tall, and of a vigorous constitution, addicted to women, and, though superior to every other sort of seduction, to this his ardent and impetuous spirit made him a frequent, and an easy prey. He appears to have loved and trusted many of that sex with a boundless passion. By some of them he was followed in the field; others he distributed in his different palaces; had many children, and although, even towards his own sons, as well as towards every one else, on occasions which alarmed the jealousy of his crown, he was sanguinary and inexorable, yet in general he appears to have entertained more parental affection than commonly attends the polygamy of Asiatic princes.

Pompey proceeded to settle the remainder of his conquests; and, besides the arrangements already mentioned, annexed the kingdom of Pontus to the province of Bithynia, gave the Bosphorus to Pharnaces, and put the province of Syria, extending to the frontier of Egypt, under the government of Scaurus. He had now, from the time of his appointment to succeed Lucullus, for about three years, had the sole direction of the affairs of the Romans in Asia *; and had exchanged with the king of Parthia provoking messages, which, in a different conjuncture, might have led to immediate hostilities. But the circumstances were not yet ripe for such a measure, and Pompey had provided sufficient mate-

* Dion. Cass. lib. xxxvii, c. 6.

rials for a triumph, without attempting to break through those boundaries on which so many Roman generals were doomed to disappointment, and on which the progress of the empire itself was destined to stop.

Without entertaining any farther projects for the present, he set out with two legions on the route of Cilicia towards Europe, having Tigranes, son to the king of Armenia, together with Aristobulus, late usurper of the Jewish throne, with his family, two sons and two daughters, as captives to adorn his triumph *.

* Joseph, de Bell. Jud. lib. i, c. 7.

CHAP. XVII.

Growing corruption of the Roman officers of state.—The loss of consideration changed for avarice, rapacity, and prodigality.—Laws against extortion.—Cataline, a candidate for the consulship.—Conspiracy with Autronius.—Competition for the consulate.—Election of Cicero and Antonius.—Condition of the times.—Agrarian law of Rullus.—Trial of Rabirius.—Cabals of the Tribunes.—Of Cataline.—His flight from the city.—Discovery of his accomplices.—Their execution.

ABOUT the time that Pompey obtained his commission to command with so extensive a power in the suppression of the pirates, the tide began to run high against the aristocratical party at Rome. The populace, led by some of the Tribunes, were ever ready to insult the authority of the Senate; and the vices of particular men gave frequent advantages against the whole order of nobles. Corruption and dangerous faction prevailed at elections, and the preferments of state were generally coveted, as steps to the government of provinces, where fortunes were amassed by every species of abuse, oppression, and violence. Envy and indignation together concurred in rousing the people against these abuses. Cornelius, one of the Tribunes, proposed a severe law against bribery, by which persons convict-

U, C. 686.
C. Calpurnius Piso,
M. Aul. Glabrio.

Lex Corne-
lia de am-
bitu.

ed of this crime should be disqualified for any office whatever in the commonwealth. The Senate wished to soften the rigour of this law, by limiting the penalty to a pecuniary fine ; and the Consul, Calpurnius Piso, moved for an edict to this purpose, in order to anticipate and to preclude the more violent law of Cornelius. But the Tribune prevailed, and obtained an act imposing the severer penalty. He likewise, by another decree of the people, attacked the discretionary jurisdiction of the *Prætors* *, obliged them to be more explicit in the edicts they published, and to observe them more exactly.

The crime of extortion in the provinces, however, was the great disgrace of the Romans. To have found an effectual remedy for this evil, would have done more honour to the people than they had derived from all their conquests. Severe laws were accordingly enacted, complaints were willingly received, and prosecutious encouraged. Candidates for popularity and public favour generally began with endeavouring to bring some offender under this title to public justice ; but the example of this state, after all, has left only this piece of instruction to mankind, That just government over conquered provinces is scarcely to be hoped for, and least of all where republics are the conquerors.

Manilius, one of the Tribunes of the people, in order to strengthen the inferior class of his constituents, had obtained by surprise an act †, by which

* Dio. Cass. lib. xxxvi, c. 25.

† Ibid. lib. xxxvi.

the citizens of slavish extraction were to be promiscuously enrolled in all the Tribes. This act, having drawn upon him the resentment of the Senate, compelled him to seek for security under the protection of Gabinius and Pompey. With this view it was that

Lex Manilia. he moved his famous act, in which Cicero concurred, to vest Pompey with the command in Asia. This motion had procured him a powerful support, and on some occasions raised the general voice of the people in his favour. Insomuch that soon after this transaction, being prosecuted for some offence at the tribunal of Cicero, who was then Praetor, and being refused the usual delays, the Praetor was obliged to explain this step in a speech to the people ; in which he told them, that he actually meant to favour Manilius, and that, his own term in office being about to expire, he could not serve him more effectually, than by hastening his trial, and by not leaving him in the power of a successor, who might not be equally disposed to acquit him. Such were the loose and popular notions of justice then prevailing, and the sacrifices made to party at Rome *.

At the election of Consuls for the following year, there occurred an opportunity to apply the law against bribery. Of four candidates, Publius Autronius Pætus, Publius Cornelius Sylla, L. Aurelius Cotta, and L. Manlius Torqua \bar{u} lus, the majority had declared for the former two ; but these being con-

* Plutarch. in vit. Cicer.

victed of bribery, were set aside, and their competitors declared duly elected.

About the same time L. Sergius Catalina, who has been already branded as the murderer of his own brother, under pretence of Sylla's proscriptions, having returned from Africa, where he had served in the quality of Praetor, and intending to stand for the Consulate, was accused of extortion in the province, and stopped in his canvass by a prosecution raised on this account. In his rage for this disappointment, he was ripe for any project of horror ; and, being readily joined by Autronius and Piso, the late disappointed candidates, formed a conspiracy to assassinate their rivals *, to massacre the Senate, to seize the ensigns of power, and, with the aid of their faction, to lay hold of the government †. Marcus Crassus and Caius Cæsar are mentioned by Suetonius as accessory to this plot. Crassus was to have been named Dictator, and Cæsar his general of the horse ‡. Cæsar was to have made a signal for beginning the massacre, by uncovering his shoulders of his gown ; but Crassus having wavered, absented himself from the Senate, and Cæsar, though present, having made no signal, the occasion passed without the projected attempt.

This is the conspiracy for which Publius Sylla came to be tried as an accomplice, and was defended by Cicero, in a pleading which is still extant ; whether Crassus and Cæsar, being, according to

* Cic. in P. Sylla & in Catal. i. c. 6.

† Dion, lib. xxxvi, &c.

‡ Sueton. in Cæsar.

Suetonius, implicated in the first steps, afterwards broke off the connection, may be questioned. But it is certain, that the plot was carried on by the others to its full detection, in the manner which remains to be told. The times indeed were pregnant with the seeds of extreme evil; many of those who, from their outset and prospects, were destined to run the political course, overwhelmed with the effects of prodigality and immoderate expense in their suit to the people, incurred a ruin, which, if successful in their pretensions to office, was to be repaired by odious expedients abroad, or, if disappointed, led them to projects of desperation and rage at home *.

The state appears to have apprehended an increase of these evils from the number of foreigners, who, from every quarter, crowded to Rome as to the general resort of persons who wished to indulge

Lex Papia
de Pere-
grinis. their own extravagance, or to prey upon that of others. Under this apprehension, an edict was obtained, upon the motion of C. Papius, Tribune of the people, to oblige all strangers to leave the city: but it is likely that the state was in greater danger from natives than foreigners. Cataline, having prevailed upon Clodius, by the consideration of a sum of money, to drop the prosecution which had been commenced against him, was left to offer himself a candidate for the Consulate of the following year †.

The office of Censor had been revived in the per-

* Plutarch. in vit. Ciceronis.

† Cicero de Aurospicium Responua.

sons of Catulus and Crassus ; but these officers found that its authority, so powerful in former times, was now greatly reduced. They scarcely ventured to give it a trial within the city ; and having differed about the enrolment of citizens residing beyond the Po, and about some other particulars, they resigned their power *. Censors were again named in the following year, but with no greater effect ; some of the Tribunes, fearing to be themselves degraded from the Senate, put a negative on the usual function of these officers in revising the rolls †.

In the next Consulate, that of Lucius Julius Cæsar and C. Marcius Figulus, Caius Cæsar, accused by Suetonius, as above, of hidden designs, but of whom we are from this time scarcely ever to lose sight, being now thirty-five years of age, entered on his career of popularity and ambition. It is remarked, that in his present Edileship, together with Marcus Bibulus, not satisfied with the joint exhibition of public shows which were given to the people, at a common expense with his colleague, he gave separate entertainments on his own account. And destined, it should seem, to be a thorn in the side of those who were solicitous of public order, the gladiators he had assembled on this occasion gave an alarm to the magistracy, and he was ordered not to exceed a certain number. In his present office, or in that of Prætor, to which he was afterwards in course advanced, it is observed, that he took some steps that were likely to revive

* Dion. lib. xxxvi. Plutarch. in Crasso.

† Ibid.

the animosity of the late parties of Marius and Sylla; and, notwithstanding the act of indemnity which had passed, raised prosecutions, on a charge of assassination, against all those who had put any citizen to death in execution of Sylla's prescription *. From this time Suetonius observes, that Cicero, though it may be thought premature, dated the beginning of his project to subvert the republic, and to make himself master of the state †.

What has most distinguished the present Consulate of Lucius Cæsar and Marcius Figulus, however, is the competition of candidates for the succession to that office on the following year, and the consequences of the election which followed. The candidates were, M. Tullius Cicero, C. Antonius, son of the late celebrated orator, L. Sergius Catalina, P. Sulpitius Galba, and L. Cassius Longinus, Quintus Cornificius, and Licinius Sacerdos.

Cicero was the first of his family who had ever resided, or enjoyed any honours, at Rome. He was a native of Arpinum, a country town of Italy, and was considered as an obscure person by those who were descended of ancient families, but had great consideration on account of his eloquence, and the consequences of it, to all such as had any interests at stake before the tribunals of justice. Being solicited by Cataline to undertake his defence on a trial for malversation in Sicily, he did not at

* Sueton. in vit. C. J. Cæsaria.

† Ibid. c. ix. Suetonius supposes, that Cicero alluded to the conspiracy of Autronius and Sylla, in which Crassus, as well as Cæsar, was said to be engaged.

once reject the request, nor always deny his aid to the factious Tribunes in support of their measures. He was undoubtedly, like other ambitious men at Rome, disposed to court every party, or to gain individuals * ; and had of late, in particular, considerably strengthened his interest with the people, by having supported the pretensions of their favourite Pompey, in having joined the popular Tribunes, in what they proposed in behalf of this aspiring citizen. He was, notwithstanding, probably by his aversion to appear for so bad a client as Cataline, saved from the reproach of having espoused his cause ; and by his known inclination in general to support the authority of the Senate, he disposed the aristocratical party to forgive the occasional part which he took with the Tribunes in particular questions, not immediately supposed to affect their ascendant in the state.

In the course of this competition for the Consulship, Antonius and Cataline joined interests together, and spared no kind or degree of corruption. Cicero complained of their practices in the Senate, and moved to revive the law of Calpurnius against bribery, with an additional penalty of ten years' banishment †. Cataline considered this measure as levelled against himself ; and incited by this provocation as well as by the animosity of a rival, was then supposed to have formed a design against Cicero's life, and to have expressed himself to this purpose,

* Ep. ad Atticum, lib. i, ep. 2.

† Dio. lib. xxxvii, c. 39.

in terms that gave a general alarm to the electors, and determined great numbers against himself. He had drawn to his interests many persons of infamous character and desperate fortune, many youths of good family, whom he debauched or encouraged in their profligacy. His language, at their meetings, was all indignation at the unequal and supposed unjust distribution of fortune and power. "Riches, "authority and honour," he said, "are engrossed by a few, while others of more merit are kept in poverty and obscurity, or oppressed with debts." He professed his intention, when in office, to remove these grievances, to cancel the debts of his friends, to enrich them by plentiful divisions of land, and to place them in the stations of honour to which they were entitled.

These declarations, being made to numerous companies assembled together, could not be concealed. Curius, one of the faction, boasted to Fulvia, a woman of rank, with whom he had a criminal intrigue, that a revolution must soon take place, and specified the particular hopes and designs of their party. This woman mentioned the subject to her own confidants, but concealed the author of her information. In the mean time, Cataline was considered as a person of the most dangerous designs, and was opposed in his election by all who had any regard to public order, or to the safety of the commonwealth. Cicero, at the same time, being supported by the Senate, was elected together with Caius Antonius. The latter indeed stood candidate upon the same interest

with Cataline, and was preferred to him only by a small majority.

By this event the designs of Cataline were supposed to be frustrated ; but the Consuls M. Tullius Cicero, C. Antonius. were not likely to enter on a quiet administration. The tribunitian power, from the time of its restoration, was gradually recovering its force, and extending its operations. Every person that could give any public disturbance, that could annoy the Senate, or mortify any of its leading members ; every one that had views of ambition adverse to the laws, or who wished to take part in scenes of confusion and tumult ; every person oppressed with debt, who wished to defraud his creditors ; every person who, by his profligacy or crimes, was at variance with the tribunals of justice, was comprehended under the general denomination of the Popular Party. The Roman people had once been divided into Patrician and Plebeian, next into Noblemen and Commoners ; but now individuals took their side with little regard to former distinctions against or for the preservation of public order. In the assembly of the Centuries, as well as in that of the Tribes, the disorderly and the profligate began to prevail ; and as it was impossible that the collective body of the people could meet in any single assembly, the comitia, for the most part, was but another name for such riotous tumults, as were made up of the persons who haunted the streets of Rome. The minds of sober men were full of fear and distrust, alarmed with surmises of plots, and various combinations of desperate persons, who united their influence,

not to carry elections or obtain preferments, but to overturn the government, or to share in its spoils *.

One of the Tribunes of the present year, Servilius Rullus, soon after his admission into office,
Lex Servilia Agraria. under pretence of providing settlements for many of the citizens, promulgated the heads of an Agrarian Law, which he carried to the Senate and the People. The subject of former grants was now in a great measure exhausted, and all Italy was inhabited by the citizens of Rome. This Tribune proposed a new expedient to provide for the indigent, not by conquest, but by purchase. It was proposed, that all estates, territories, or possessions of any sort, which belonged to the republic, should be sold ; that all acquisitions of territory recently made, and the spoils taken from any enemy, should be disposed of in the same manner ; that the money arising from such sales should be employed in purchasing arable and cultivable lands, to be assigned in lots to the necessitous citizens ; and that, to carry this law into execution, ten commissioners should be named in the same manner in which the Pontiffs were named, not by the whole people, but by seventeen of the Tribes selected by lot : that these commissioners should be judges, without appeal, of what was or was not public property ; of what was to be sold, of what was to be bought, and at what price ; that they were to receive and to judge of the accounts of every Consul, or other officer, except Pompey, commanding in any province, where any capture had been

* Cicero de *Lege Agraria*.

made, or new territory acquired : and, in short, that they should, during five years, which was the intended term of their commission, be the sole masters of all property within the empire, whether public or private.

On the day that the new Consuls entered on their office, when they returned in procession from the Capitol, and gave the first meeting to the Senate, Rullus had the presumption to propose this law, and to move the Conscript Fathers, that they would be pleased to give it the sanction of their approbation and authority in being carried to the people. Upon this occasion, Cicero made his first speech in the character of Consul. The former part of it is lost ; the remainder may be reckoned among the highest specimens of his eloquence. In this and the two speeches he delivered to the people on the same subject, he endeavoured to demonstrate, (if we may venture to imitate the profusion of his own expressions), that, from the first clause of this law to the last, there was nothing thought of, nothing proposed, nothing done, but the erecting in ten persons, under the pretence of an Agrarian Law, an absolute sovereignty over the treasury, the revenue, the provinces, the empire, the neighbouring kingdoms and states ; and, in short, over all the world as far as it was known to the Romans. He painted in such lively colours the abuses which might be committed by Rullus, and by his associates, in judging what was private and what public property, in making sales, in making purchases, in planting the colonies, and so exposed the impudence of the cheat, by which it

was proposed to surprise the people into the granting of such powers, the absurdity and the ruinous tendency of the whole measure, that it was instantly rejected, and its author hissed from the assembly, and treated as an object of ridicule and scorn.

The splendour of the Consul's eloquence, on this occasion, appeared with great distinction, and the spirit of the times continued to furnish him with opportunities to display it *. Roscius Amerinus, having been Tribune of the people a few years before, had, by the authority of his office, set apart some benches in the theatre for the Equestrian order. This gave offence to the people, so that Roscius was commonly hissed when he appeared at any of the public assemblies. On some one of these occasions the Consul interposed ; and, in a popular harangue, secured the attachment of the Knights to himself, and even reconciled the people to the distinction which had been made in favour of that body.

There happened under the same Consulate a business of greater difficulty, being a motion to restore the sons of the proscribed to the privilege of being chosen into the offices of state, of which they had been deprived by an ordinance of Sylla. Their fate was undoubtedly calamitous and severe. Many of them who had been too young to have incurred the guilt of their party, were now come of age, and found themselves stripped of their birth-right, and stigmati-

* It is probable that Cicero did not write in order to speak, but wrote after he had spoken, for the use of his friends. Epist. ad Atticum, lib. ii, c. 1.

zed with this mark of dishonour. It was proposed, in their behalf, to take away this cruel exclusion. But Cicero, apprehending that this proposal tended to arm and to strengthen persons, who, from long use, had contracted an habitual disaffection to the established government at Rome, powerfully opposed the motion, and succeeded in having it rejected *.

Though the orations on the two subjects last mentioned have perished, great part of that which he spoke on the trial of C. Rabirius still remains. This man, of a great age, a respectable Senator, after an interval of six-and-thirty years, was brought to trial as an accomplice in the death of Apuleius Saturninus, the factious Tribune, who, as has been related, having seized the Capitol, was, by the Consuls Marius and Valerius Flaccus acting under the authority of the Senate, and attended by all the most respectable citizens in arms, forced from his stronghold, and put to death as a public enemy.

Titus Atius Labienus, one of the Tribunes, was the declared prosecutor of C. Rabirius ; but historians agree, that this Tribune acted at the instigation, and under the direction of C. Cæsar. The intention of the popular party was, by making an example of this respectable person in so strong a case, where the authority of the Senate, and the commands of the most popular Consul, where even the prescription of so old a date should have repelled every danger, effectually, for the future, to deter every person from

* Plin. lib. vii, c. 50.

acting in support of the Senate, or from lending any force or opposition to the designs of factious Tribunes, however turbulent or dangerous.

The Senate, and all the friends of established authority, were greatly alarmed, and united in defence of Rabirius. The popular party, as already described, the ambitious, the profligate, the bankrupt, who were earnest to weaken the hands of government, and in haste to bring on scenes of confusion and trouble, took the opposite side.

The prosecutor laid his charge for treason of the most heinous nature, which must have led the convicted, though a freeman, to die on the cross, the ordinary manner of executing the sentence of death on slaves. "The executioner stalks in the forum," said Cicero, "and the cross is erected for a Roman citizen in the field of Mars." The accusation was first brought before the Prætor, who possessed the ordinary jurisdiction in such cases. And this magistrate empanelled two judges, who were to determine in this mighty cause. These were Caius Julius and Lucius Cæsar. At this court the defendant was condemned; and with appearances of animosity on the part of Caius Cæsar, that greatly increased the public alarm. This rising citizen had always courted the populace, and was strongly supported by them. That he should aim at honours and power, it was said, is common; but that he wished to provide impunity for the disturbers of the commonwealth, was dreadful. The crime of Rabirius, even if he could be convicted of it, had been committed the year before Cæsar was born. In the

person of the accused, every circumstance, even on the supposition of a true charge, pleaded for compassion, and even for respect : the fact, at the same time, was denied, and a positive evidence was brought that another had received a reward for killing Saturinus : but the policy of the faction required this victim ; and the sentence must have been executed, if the condemned had not fled, by appeal, to the judgment of the people, where, indeed, his cause might be reckoned more desperate than it had been before a select court. The parties attended this trial with great ardour. Hortensius conducted the appeal and defence. Cicero pleaded in behalf of justice and government ; painted the age, the infirmities, the forlorn state of the defendant, who had survived his relations and his friends. He pointed out the danger to government and to order from this precedent, in terms that must have melted every heart, not callous from ambition, faction, or profligacy of manners : but in vain. Even in the assembly of the Centuries, the majority was hastening to affirm the sentence, when Q. Cæcilius Metellus Celer, then Prætor, and one of the Augurs, hastened to the Janiculum, and tore down the ensign which was planted there as a sign of peace. And a silly piece of superstition stopped the proceedings of those whom neither justice nor compassion, nor regard to government, could restrain. This form took its rise, as has been formerly mentioned *, in the first ages of Rome, when the enemy inhabiting villages in the

* See vol. i, c. 1.

neighbourhood were supposed at the gates, and the people convened in the field on one side of the city might be assailed on the other. When the Centuries were formed, therefore, in the field of Mars, a guard was always posted on the Janiculum, and an ensign displayed. If any enemy appeared, the ensign was taken down, the assembly dismissed, and the people took to their arms. This ceremony, like many other customs both of superstition and law, remained after the occasion had ceased ; and it was held illegal or impious in the people to proceed in any affair without the ensign in view. By this means the trial of Rabirius was put off, and the prosecutors, despairing of being able to work up the people again into an equal degree of violence, dropt the prosecution. The cause still remained undecided, and the power of the Senate, to defend its own authority, continued in a state of suspense.

The Tribune Labienus laid aside thoughts of renewing this invidious prosecution, in order to pursue the object of some other more popular acts ; one, in particular, to repeal the almost only remaining ordinance of Sylla ; that which conferred on the College of Priests the power of filling up vacancies in their own order. The right of election was again taken from the College, and, according to the law of Domitius, given to seventeen of the tribes, who were to be drawn by lot. This change was intended to open the way of Caius Cæsar into that office ; and he was accordingly promoted to it in the following year.

Others of the Tribunes likewise endeavoured to distinguish themselves by acts of turbulence and sedition. Metellus Nepos endeavoured to repeal that clause of the act against bribery and corruption, which declared the party convicted to be disqualified for any of the offices of state. This Tribune, though sufficiently disposed to disorderly courses, had many connections among the most respectable citizens, and was persuaded, in this instance, to drop his design.

But of all the cabals into which the popular faction was distributed, none was more desperate, nor supposed more dangerous, than that of Cataline, the late disappointed candidate for the Consulship. His rival Cicero had intimation, before the elections, of a design formed by this desperate party against his own person, and still continued to observe their motions. For this purpose he entered into a correspondence with a woman of the name of Fulvia, already mentioned, and who had given the first hints of a dangerous conspiracy : by means of this woman, he procured the confidence of Curius, who gave him minute information of all the proceedings of the party.

In public, Cataline again professed himself a candidate for the office of Consul, in competition with Servius Sulpicius, P. Muræna, and J. Silanus. He boasted of support from Antonius ; but Cicero, to divert his colleague from this dangerous connection, made him every concession. Having, in casting lots for the provinces of Gaul and Macedonia, drawn the latter, which was thought to be preferable, he yield-

ed it up to Antonius ; and by this, and every other means in his power, persuaded him to rest on the secure possession of dignities and honours, lawfully obtained, in preference to expectations formed on the projects of a few desperate men.

In secret, Cataline encouraged his adherents by pretending to have many resources, and to be supported by numbers who were ready to take arms at his command. In a formal meeting of his party in October, a few days before the consular elections, he opened the whole of his design ; and in the speech which he made on that occasion, is said to have used expressions to the following purport : “ The distressed can rely for relief on those only who have a common cause with themselves. Whoever is at ease in his own fortune, will not regard the suffering of others. If you would know how I stand affected to the parties which now divide the republic, *rich creditors* and *needy debtors*, please to consider, what every one knows, that I have no safety but in the destruction of the one, and the relief of the other ; that my interest is the same with your own, and that I have courage to attempt what may be necessary for our common relief and security.”

From the strain of this passage, the description of a party to whom it was with propriety addressed, may be easily collected. Cicero, who had frequently taxed Cataline with dangerous designs, now determined to lay the whole of his intelligence before the public ; and for this purpose deferred the consular elections, which were to have been held on the

eighteenth of October, to a future day, and assembled the Senate. Cataline having, with the other members, attended, and hearing the charge, did not pretend to deny or to palliate his words. "There are," he said, "in this republic, two parties ; one weak both in its members and head ; the other strong in its members, but wanting a head : while I have the honour of being supported by this party, it shall have a head." Upon these words, a general cry of indignation arose in the Senate ; but no resolution was taken. Many, who were there present as members, were pleased to see the Senate itself insulted ; and Cataline, as if in condition to brave all his enemies, was, in all his expressions, equally unguarded in the streets and in the Senate. To Cato, who, in the public Forum, some days before this meeting, had threatened to have him impeached : "Do," he said ; "but if you light a flame in my fortunes, I will extinguish it under the ruins of the commonwealth *."

A prosecution was actually raised against him in the name of Lucius Paulus, a young man of distinction, for carrying arms against the public peace. On this occasion, however, he thought proper to soften his tone, and offered to submit to voluntary confinement, until his innocence should be made to appear. "No one," he said, "who knows my rank, my pretensions, and the interest I have in the preservation of the commonwealth, will believe, that its destruction is to be apprehended from me, and

"that its safety is to come from a native of Arpinum *." He offered to commit himself to the custody of Cicero, of Metellus, or of any other magistrate, till this injurious aspersion were removed. To this offer the Consul replied, That he who did not think himself safe within the same ramparts with Cataline, would not receive him into his house †.

By one effect of the unparalleled licence enjoyed by citizens of Rome, persons accused of the most heinous crimes were at large, during the dependence of their trial, and might either proceed in the execution of their designs, or withdraw from justice. Such was the effect of the laws of Valerius and Porcius, which secured against violence, or the power of the magistrate, the person of every citizen, however accused, until he were finally condemned by the people. In support of this privilege, which was salutary, when the abuse of power in the magistrate was more to be dreaded than the licence of crimes in the subject, the Romans persisted even after the depravity of manners was become too strong for the laws, and when exemption from every just restraint was fatally mistaken for liberty. The state had now been thrown, on many occasions, into the most violent convulsions, because there was not any regular method of resisting disorders, or of suppressing them on their first appearance.

Cataline, soon after the elections, at which, by the preference given to his competitors Muræna and Si-

* The town of which Cicero was a native.

† Cicero in Catalinam, i, c. 8.

Ianus, he received a fresh disappointment in his hopes of the Consulship, sent Mallius, or Manlius, an experienced soldier, who had served with himself under Sylla, to prepare for an insurrection in the district of Etruria. This officer, in the end of October, under pretence of giving refuge to debtors from the oppression of their creditors, had actually assembled a considerable body of men *. Suspicions at the same time arose against Publius Sylla, who was making a large purchase of gladiators at Capua, and insurrections were apprehended on the side of Campania and Apulia. In this state of affairs, continual informations being brought of Cataline's designs, the Senate gave in charge to the Consuls to watch over the safety of the state; and these officers accordingly put chosen bodies of men under arms, and secured all the posts of consequence in the city. Metellus, the conqueror of Crete, who still remained without the walls in hopes of a triumph, was appointed to command on the side of Apulia. The Praetor Metellus Celer was sent into the Cisalpine Gaul, in order to secure the peace of that province †; and the Consul Antonius was destined to suppress the insurrection of Mallius at Fæsulæ ‡.

Cataline meanwhile remained in the city, and had frequent consultations for the arrangement and the execution of his plot. At a meeting of the party, held in the beginning of November, in the house of M. Porcius Læca ||, a general massacre of the prin-

* Cicero in Catalinam, i. c. 5. † Ibid. c. 12. ‡ Now Florence.

|| Cicero pro Pub. Sylla, c. 16.

cipal Senators was projected. The conspirators severally chose their stations, and undertook their several parts. Two in particular, who were familiar in Cicero's house, undertook in the morning, under pretence of a visit, to surprise and assassinate the Consul. But he being the same night apprised of his danger by Fulvia, gave the proper orders, and the intended assassins, upon their appearance at his door, were refused admittance. He immediately after assembled the Senate, in the temple of Jupiter. Cataline presented himself with his usual presumption ; and Cicero, as appears from an oration which he then delivered, instead of laying the matter in form before the Senate, accosted Cataline in a vehement invective, urging him to be gone from the city, where all his steps were minutely observed, where his meaning was understood, and precautions taken against all his designs. "I told you," said the Consul, "that your emissary Mallius would be in arms "by the first of November ; that you intended a "massacre of the Senators about the same time. I "now repeat the memorable words you made use of "when you were told, that many of the Senators "had withdrawn from the city. You should be sa- "tisfied, you said, with the blood of those who re- "mained. Were you not surrounded, hemmed in, "and beset on every side by the guards posted to "watch you ? Did your intention to surprise Præ- "neste, on the night of the first of November, es- "cape me ? Did you not find precautions taken that "implied a knowledge of your design ? There is no- "thing, in short, that you do, that you prepare, that

" you meditate, which is not heard, which is not
" seen, which is not felt by me in every circum-
" stance. What of last night? Were you not at the
" house of Porcius Lecca? Deny it! I have evi-
" dence. There are here present persons who were
" of your company. But where are we? What man-
" ner of government or republic is this? The ene-
" mies and destroyers of the commonwealth make a
" part in its highest councils! We know them, and
" yet they are suffered to live! But, begone. The
" time of enduring you is past. The world is convin-
" ced of your guilt. Stay only till there is not a
" single person that can pretend to doubt of it,—till
" your own partisans must be silent, and till the cla-
" mour, which they would willingly raise against eve-
" ry necessary act of government, be suppressed."

This being the general tendency of the Consul's speech, fraught with such alarming matter, and urged with so much confidence, the audience was seized with terror, and numbers, who happened to be on the same bench with Cataline, withdrew from his side. He himself arose, and attempted to vindicate his character, but was silenced with a general cry of indignation; upon which he left the Senate; and, after concerting farther measures with those of his party, not thinking that a longer stay in the city could be of any use to his affairs, he withdrew in the night, leaving letters behind him to some of the Senators, in which he complained, that, by a combination of his enemies, he was driven into exile; and that, rather than be the occasion of any disturbance in the commonwealth, he was willing to retire.

While these letters were handed about in the city, he took his way, preceded by the ushers and ensigns of a Roman Proconsul, straight for the camp of Mallius, and entered into a state of open war. The features of this man's portrait are possibly exaggerated by the vehement pencils and lively colourings of Cicero and of Sallust. He is represented as able to endure hardships of any kind, and as fearless in any danger ; as, from his youth, fond of discord, assassinations, and bloodshed ; as stained with the blood of his own brother, whom he murdered to have his estate, and with the blood of his own child, whom he murdered to remove the objection made to him by a woman who refused to marry him with the prospect of being a stepmother. He is represented as rapacious, prodigal, gloomy, impetuous, unquiet, dissembling, and perfidious ; a description of which the horrors are probably amplified ; but for which it cannot be doubted there was much foundation, as he far exceeded in profligacy and desperation all those who, either in this or the former age, were, by their ambition or their vices, hastening the ruin of the commonwealth.

Cicero always professed to have particular information of the progress of Cataline. This, according to Sallust, he owed to Fulvia, by whose means he obtained a correspondence with Curius ; but he himself, in none of his orations, gives any intimation of the manner in which he obtained his intelligence. It is probable that Curius desired to be concealed, that he might not be exposed to the rage of the conspirators as an informer and a traitor. On

this account the Consul, although he was minutely apprised of particulars, was obliged to adopt the plan he had hitherto followed, to urge the conspirators themselves into open hostilities, and into a full declaration of their purpose. He had succeeded with respect to Cataline ; but his accomplices were yet very numerous in the city, and were taking their measures to co-operate with those who were in arms abroad.

In this state of affairs, Fabius Sanga, a Roman citizen of distinction, came to the Consul, and informed him, that the ambassadors of the Allobroges, a people then inhabiting what is now called the territory of Geneva, and part of Savoy, whose patron he was, had made him privy to a very momentous affair ; that upon being disappointed in a suit, on which they had been employed to the Senate, they had been carried by P. Umbrenus to Publius Cornelius Lentulus the Praetor, who condoled with them on the subject of the wrong they had received, assured them of redress if they would merit the favour of those who were soon to have the ascendant at Rome ; and proposed, that they should, immediately upon their return to their own country, prevail on their nation to be prepared with an army, to co-operate with their friends in Italy. Cicero immediately laid hold of this intelligence, as affording means to bring the plot to light in a proper manner, and with sufficient evidence to convict the conspirators. He desired Sanga to encourage this correspondence ; to advise the ambassadors to require proper credentials to be shown to their countrymen ; to procure

a list of the Roman citizens who, in case they should rise in rebellion against the Romans, were to become bound to protect them ; and when they should be thus provided, and about to depart, he instructed Sanga to bring him intimation of their motions, that they might be secured, with their writings, and other evidence of the facts to be ascertained. Sanga, having instructed the ambassadors accordingly, gave notice of their motions to the Consul. In the evening before they were to depart, Cicero ordered the Praetors, L. Flaccus and C. Pontinus, to march by different ways, and in small parties, after it was dark, to place a sufficient armed force to intercept the ambassadors of the Allobroges. The parties were stationed on different sides of the river, at the bridge called Milvius, without knowing of each other, and without having any suspicion of the purpose for which they were posted, farther than arose from their having been told, that they were to seize any person who should attempt to pass in either direction. About three o'clock in the morning the ambassadors from the Roman side entered on the bridge with a numerous retinue ; and being challenged, and commanded to stop by the party that was placed to intercept them, they endeavoured to force their way ; and some blood was shed. But on the appearance of the Praetors, with their ensigns of office, the travellers ceased to resist. Their dispatches were secured. Volturcius, a Roman citizen, who was found in their company, was taken and searched. Letters were found upon him, in different hands, and under different seals, addressed to

Cataline. These, together with the prisoners, were immediately carried back to the city.

The Consul being apprised of the success which attended this part of his design, sent, before any alarm could be taken by the party, messages to Gabinius, Statilius, Cethegus, and Lentulus, desiring to see them at his own house. The three former came with the messenger ; but Lentulus was newly gone to bed, and, by his delay, gave some cause to suspect that he was aware of his danger. He too, however, came before it was day ; and the house of Cicero was presently crowded, not only with numbers of the Equestrian order that were in arms for the defence of his person, but likewise with many Senators whom he desired to be present. The ambassadors of the Allobroges, now prisoners, were likewise conducted thither, and the letters found in their possession were produced unopened. Cicero declared his intention to assemble the Senate without delay, in order to lay the whole matter before them. Many of the company were of opinion, that the letters should be first opened, in order to see, whether they contained any matter of so much moment, as to require assembling the Senate, at a time when so great an alarm was likely to be taken. Cicero, however, having no doubt of the contents of the letters, and of the importance of the matter, overruled those scruples, and the Senate was accordingly called. Meantime the Allobroges dropt some expressions which implied, that some arms were concealed in the house of Cethegus. This occasioned a search

being then made, and a considerable quantity of daggers and swords were accordingly found.

At the meeting of the Senate, Volturcius was first examined ; he denied his knowledge of any treasonable designs, but appeared disconcerted ; and, upon being reminded of the reward that had been offered for the discovery of any plot against the state, and of the danger to which he himself would be exposed in prevaricating, he confessed, that the letters seized in his custody were sent by the Praetor Lentulus and others ; that he had besides a verbal message to Cataline, informing him, that the plan was now ready for execution ; that the station of every person was assigned ; that some were appointed to set fire to the city in different places, and some to massacre their enemies in the midst of the confusion that was likely to be occasioned by the fire ; and desiring that Cataline, in order to support his friends, and to profit by the diversion they were to make in his favour within the walls, should issue a proclamation to arm the slaves, and that he himself should march directly to Rome.

The deputies of the Allobrogès being next introduced, acknowledged, that they had been charged by Lentulus, Cethegus, Statilius, and Cassius, with assurances of support to the council of their nation, confirmed by oath, accompanied with directions to march, without delay, a body of horse into Italy, where they should be joined by a numerous infantry, and receive proper instructions in what manner they should farther proceed ; that, to encourage them, Lentulus quoted a prophecy, found in the

collection of the Sibyls, by which he himself was pointed out as the third of the Cornelii * destined to arrive at the sovereignty of Rome : that the conspirators had differed about the time of executing their design. Lentulus was of opinion it should be deferred to the holidays in December ; that Cethegus, notwithstanding, and the others, were impatient, and desired a nearer day.

The supposed conspirators were next called in their turns ; and the letters, with the seals unbroken, were exhibited before them. Cethegus, being the first examined, persisted in denying his knowledge of any conspiracy ; accounted for the arms which were found in his house, by saying, He was curious of workmanship of that nature, and always bought what he liked. He preserved his countenance undisturbed, till his own letter was produced, and then fell into great confusion, as the seal was immediately known to be his.

Lentulus next, with great confidence, denied the charge ; affected not to know either Volturcius or the ambassadors : asked them upon what occasion they ever could pretend to have been admitted into his house ? He, however, supposing that nothing in the contents of the letter that was now produced could convict him, acknowledged the seal. It was the head of his grandfather. But the letter being opened, was found to be unsigned, and in the following general terms : “ The bearer will inform “ you who I am. Fear nothing. Remember where

* The former two were Cinna and Sylla.

"you stand ; and neglect nothing. Call in every aid, even the meanest." While he persisted in his denial, some one asked him, If he had never quoted the Sibylline oracles to these Gauls ? Confounded with this question, he forgot his disguise, and confessed.

Gabinius, too, was at last brought to own his guilt ; and in this manner the conspiracy was fully laid open. Lucius Cæsar, the Consul of the former year, in the presence of Lentulus, who was married to his sister, gave his opinion, that this unhappy man should be immediately put to death. "This," he said, "is no unprecedented measure. My grandfather, Fulvius Flaccus, taken in open rebellion as this man is, was slain by order of the Consul Gabinius. His son was taken into custody, and put to death in prison." In the meantime, Lentulus was ordered to divest himself of the office of Prætor, and, together with his accomplices, was committed to close imprisonment. This Cornelius Lentulus was distinguished by the addition of Sura to his name. He had been Consul about eight years before, and was afterwards, for his debaucheries, struck off the rolls of the Senate. He had now again condescended to accept of the office of Prætor, in order to recover, in the capacity of a magistrate, his seat in the Senate.

A proclamation was issued to apprehend M. Cæparius who had been sent to procure an insurrection in Apulia, together with P. Furius, Magius Chilo, and P. Umbrenus, who had first introduced the Gaulish ambassadors to Gabinius. The Senate voted

thanks to the Consul Cicero for his great vigilance, and for the consummate ability he had shewn in the discovery and suppression of this treasonable design; to the Praetors, for the faithful execution of the Consul's orders; and to Antonius, his colleague, for having detached himself from men with whom he was known to have been formerly connected. A public thanksgiving to the gods was likewise decreed in honour of the Consul, and in consideration of this deliverance of the city from fire, of the people from massacre, and of Italy from devastation and war.

An assembly of the people being called, Cicero gave this account of the proceedings of the Senate, in a speech which is still extant*, and early on the following day assembled that body again, to deliberate on the farther resolutions to be taken with respect to the prisoners. An agent had been busy in the night to raise some disturbance in favour of Lentulus; but the design of setting fire to the city gave so great an alarm, that not only such as were possessed of considerable property, but every inhabitant, whatever might be his effects, trembled for his own person, and for the safety of his house. The avenues to the Senate, the Capitol, the Forum, all the Temples in the neighbourhood, by break of day, were crowded with armed men. The Consul had summoned the Equestrian order in arms to support the government, and citizens of every rank came forth to have a part in what might be required for the safety of their families.

* In Cat. 5.

When the Senate was assembled, the members differed in their judgment. Junius Silanus, one of the Consuls-elect, being called up first in order, declared himself for a sentence of death. Tiberius Nero differed from him, and proposed perpetual imprisonment. The majority, however, joined Silanus, until Caius Cæsar spoke. This able advocate declared against the opinion of Silanus, not as too severe, but as contrary to law ; and insisted on the danger of a precedent which might set the life of every citizen at the mercy of a vote in the Senate. Death, he said, was the common destination of all men ; what no one could avoid, and what the wise frequently coveted. It was not, therefore, to be used as a punishment ; and he was disposed, in this case, not to mitigate, but to increase, the severity of the sentence. He proposed, therefore, that the estates of the prisoners should be confiscated ; that their persons should be committed for life to the keeping of the most secure and best affected corporations in Italy ; and that it should be declared treason for any one hereafter to move the Senate or the people for any mitigation of their punishment.

Cæsar might be considered as appearing on the side of the popular faction, and as laying the ground upon which the proceedings of the Senate, and the conduct of any particular member, might be afterwards arraigned before the people. The terrors of the Porcian and Sempronian laws, when likely to be urged by so powerful an advocate, alarmed the greater part of the Senate. Silanus himself retracted his opinion. In this fluctuation, the Consul submitting

the question to the judgment of the Senate, for his own part declared his willingness to execute any decree they should form. He treated Cæsar with great respect, and with some art laid hold of the severe terms in which this popular citizen had spoken of the conspiracy, as a pledge of his future conduct, in case the proceedings of government, with respect to the matter now before them, should hereafter be questioned or brought under review. “The Senate,” he observed, “had no cause to dread the imputation of cruelty. It was mercy to prevent, in the most effectual manner, a crime to be perpetrated in so much blood. If this crime were not prevented, they were to see that city, the resort of nations, and the light and ornament of empire, perish at one blow. They were to see heaps of her citizens unburied, and lying in their blood: they were to see the fury of Cethegus let loose in murder; to see Lentulus become a king, Cataline commanding an army, and every where to hear the cries of mothers, to see the flight of children, and the rape of virgins.—If the father of a family,” he continued, “should spare a slave who had shed the blood of his children, who had murdered his wife, and set fire to his dwelling, how should such a father be considered—as cruel or void of affection?

“He desired them not to regard what was given out, of their not being in condition to attempt any thing vigorous against these men. He himself, as first magistrate, had not neglected the necessary precautions; and the general ardour with which

“ all ranks of men concurred in the defence of their
“ families, their properties, and the seat of empire,
“ rendered every resolution they could take secure
“ of the utmost effect. The forum is full, all the
“ temples in its neighbourhood are full, all the
“ streets and avenues to this place of assembly are
“ full of citizens of every denomination, armed for
“ the defence of their country. But he requested
“ that the Senate would issue their orders before the
“ sun went down, and seemed to apprehend danger-
“ ous consequences, if these matters were left unde-
“ termined, and the city exposed to the accidents
“ of the following night. For himself, he professed
“ to have taken his resolution. Although he felt
“ the occasion full of personal danger, he would
“ execute the orders of the conscript fathers,” he
said ; “ but if he fell in the attempt, implored their
“ protection for his wife and his children *.”

All this appears to have passed in debate before Cato spoke. This virtuous citizen, then about thirty-three years of age, had, in the former part of his life, taken a very different course from the youths of his own time, and, both by his temper and education, was averse to the libertine principles which had crept into the politics and the manners of the age. He spoke chiefly in answer to Caius Cæsar, who, he observed, seemed to mistake the question. “ We “ are not inquiring,” he said, “ what is the proper “ punishment of a crime already committed, but “ how we may defend the republic from an immi-

* Cicer. in Catalinam, Orat. iv.

" nent danger with which it is threatened. It is
" proposed to send the prisoners to safe keeping in
" the country. Why into the country? Because per-
" haps the faction of profligate citizens is more nu-
" merous in Rome, and may rescue them. Is Rome
" the only place to which profligate men may resort,
" or are prisoners of state most secure where the
" force of government is least? This proposal is
" surely an idle one, if the author of it professes to
" entertain any fear of these men. But if, in this ge-
" neral alarm of all the city, he and such persons be
" not afraid, so much the more cause have we to be
" on our guard. We are beset with enemies, both
" within and without the walls. While Cataline
" with fire and sword is hastening to your gates,
" you hesitate whether you will cut off or spare his
" associates, who are taken with the torch in their
" hands and the dagger at your breast! You must
" strike those who are now in your power, if you
" mean to intimidate those who are coming to sup-
" port their designs. The remissness or the vigour
" which you now show, will be felt in the camp of
" Cataline, and will be attended with suitable ef-
" fects. I am therefore of opinion, that we order
" these men, agreeably to the practice which our
" ancestors have followed in all cases of treason and
" of open war against the commonwealth, to imme-
" diate death."

Such is said to have been the speech of Cato, by which the Senate was determined in the very momentous resolution which was taken on the present occasion ; and however little we may be inclined to

consider such compositions in many parts of ancient history as records of fact, much credit is due to this representation, as it is given by a person who himself became a partisan of Cæsar, and as the words which he ascribed to these speakers must have come in the perusal of his work under the inspection of many who were present at the delivery of them *. The execution of the prisoners was accordingly determined, and Cornelius Lentulus, in the beginning of the following night, was, by order of the Consul, committed to a vaulted dungeon under ground, and strangled. His accomplices had the same fate : and the minds of men, though somewhat quieted of their fears, were nevertheless stunned with the scene, and beheld with amazement a Patrician of the Cornelian family, of the first rank in the commonwealth, who himself had been Consul, suffering, without any formal trial, by the hands of the common executioner of justice †.

While these things were in agitation at Rome, Cataline was endeavouring to augment his force in the field. He found about two thousand men under Mallius. These he formed into two legions, and as his party increased he completed their numbers. He refused for some time to enrol the fugitive slaves, of whom many took refuge in his camp ; thinking

* The more credit is due to this account of Cæsar's and of Cato's speech, that the speech which is ascribed to Cicero by the same historian, is a faithful extract, or contains the purport of the oration which still remains among his works.

† Sallust. Bell. Catal. “ Cur ergo in sententiam Catonis? quia verbis luculentioribus et pluribus rem eandem comprehendenderat.” Cicero, ad Atticum, lib. xii, epist. 21.

it would discredit and weaken his cause to rest any part of it on this support. But the freemen that joined him being ill armed, he was obliged to keep in the neighbourhood of the mountains, and frequently to change his ground, to avoid an engagement with the Consul; and he endeavoured to gain time, in hopes that, the intended blow being struck at Rome, a general defection of the opposite party would ensue. But when accounts came that his design had failed in the city, and that his principal associates were no more, those who were inclined to his cause were discouraged, and numbers who had already joined him began to fall off, he determined to remove to a distance from his enemies; and for this purpose directed his march to a pass in the Appenines, by which he might escape into Gaul. This design the Praetor Metellus had foreseen, made a forced march to prevent the effect of it, and Cataline at last, finding himself beset on every quarter, determined to hazard a battle. Of the armies that were in the field against him, he chose to face that of Antonius; either because it lay on his route to Rome, and, if defeated or removed, might open his way to the city, or because he hoped to meet in the commander of it some remains of inclination in his favour. In whatever degree these hopes were at first reasonably conceived, they ceased to have any foundation; as Antonius, being taken ill, had left the army under the command of Petreius. With this commander Cataline engaged in battle, and, after many efforts of valour and of conduct, fell, with the greater part of his followers, and thus delivered

the state from a desperate enemy, whose power was happily not equal to his designs, and who has owed much of his celebrity to the orator and the historian, who have made him the subject of their eloquent compositions. Sallust appears to have been so intent on raising and finishing particular parts of his work, that he neglected the general order of his narrative. I have, therefore, in most parts of the relation, preferred the authority of Cicero to his. This great man was undoubtedly best informed, and he rested so much of his reputation on this transaction, that he loses no opportunity of returning to it, and in different parts of his writings, when collected, has furnished a pretty full narration of circumstances respecting the origin and termination of this wild and profligate attempt to subvert the government of the republic.

CHAP. XVIII.

Character of the times.—Philosophy.—Opposite tenets and varieties.—Proceedings of the Senate.—Tribunate of Metellus Nepos, and of Cato.—Proposal to recall Pompey at the head of his army frustrated.—His arrival in Italy.—And triumph.

It may appear strange, that any age or nation should have furnished the example of a project conceived in so much guilt, or of characters so atrocious as those under which the accomplices of Cataline are described by the eloquent orator and historian*, from whose writings the circumstances of the late conspiracy are collected. The scene, however, in this republic was such as to have no parallel, either in the past or in the subsequent history of mankind. There was less government, and more to be governed, than has been exhibited in any other instance. The inhabitants of Italy, as citizens of Rome, were become masters of the known world. They pretended to govern in a body, but it was impossible they ever could meet in a fair and adequate convention. They were represented, therefore, by partial meetings or occasional tumults in the capital ; and

* Cicero and Sallust.

to take the sense of the people on many a subject, was little better than to occasion a riot. Individuals were vested with powers almost discretionary in the provinces, or continually aspired to such situations. At home they were impatient of government, and in haste to govern. Ruined in their fortunes by private prodigality, or by the public expense in soliciting honours ; tempted to repair their ruins by oppression and extortion where they were intrusted with command, or by desperate attempts against the government of their country, if disappointed in their hopes of sharing its profits. Not only were many of the prevailing practices disorderly, but the law itself was erroneous * ; adopted indeed at first by a virtuous people, because it secured the persons and the rights of individuals against the possibility of injustice, but now anxiously preserved by their posterity, because it gave a licence to their crimes.

The provinces were to be retained by the forces of Italy ; the Italians themselves by the ascendant of the capital ; and in this capital all was confusion and anarchy, except where the Senate, by its authority and the wisdom of its councils, prevailed. It was no doubt expedient for the people to restrain abuses of the aristocratical power ; but when they assumed the government into their own hands, or

* Lex Valeria et Porcia de tergo Civium lata. Liv. lib. ii, c. 8, lib. iii, c. 55, lib. x, c. 9. By these laws a Roman citizen could not be imprisoned, any more than suffer punishment, before conviction ; he might stop any proceeding against himself by an appeal to the people ; and, being at large during his trial, might withdraw whenever he perceived the sentence likely to be given against him.

when the sovereignty was exercised in the name of the collective body, abuses were multiplied, and the confusion or anarchy which prevailed at Rome spread from one extremity of her dominion to the other. The provinces were oppressed, not upon a regular plan to aggrandise the state, but at the pleasure of individuals, to enrich a few of the most outrageous and profligate citizens. The people, under pretence of exerting their own powers, were perpetually violating the laws which had been made to restrain usurpations ; and the public interests and the order of the state were in perpetual struggle with the pretensions of demagogues, or of single and profligate men. In such a situation there were many temptations to be wicked ; and in such a situation likewise, minds that were turned to integrity and honour had a proportionate spring and scope to their exertions and pursuits. The range of the human character was great and extensive, and men were not likely to trifle within narrow bounds ; they were destined to be good or to be wicked in the highest measure, and, by their struggles, to exhibit a scene interesting and instructive beyond any other in the history of mankind.

Among the causes that helped to carry the characters of men in this age to such distant extremes, may be reckoned the philosophy of the Greeks, which was lately come into fashion, and which was much affected by the higher ranks of men in the state *. Literature, by the difficulty and expense of multi-

* Vid. Cicero's Philosophical Works.

plying copies of books, being confined to persons having wealth and power, it was considered as a distinction of rank, and had its vogue not only as an useful, but as a fashionable accomplishment *. The lessons of the school were admitted as the elements of every liberal and active profession, and they were quoted at the bar, in the field, in the Senate, and every where in the conduct of real affairs. Philosophy was considered as an ornament, as well as a real foundation of strength, ability and wisdom, in the practice of life. Men of the world, instead of being ashamed of their sect, affected to employ its language on every important occasion, and to be governed by its rules so much as to assume, in compliance with particular systems, distinctions of manners, and even of dress. They embraced their forms in philosophy, as the sectaries in modern times have embraced theirs in religion ; and probably in the one case honoured their choice by the sincerity of their faith and the regularity of their practice, much in the same degree as they have done in the other.

In these latter times of the Roman republic, the sect of Epicurus appears to have prevailed ; and what Fabricius, on hearing rehearsed the tenets of this philosophy, wished for the enemies of Rome, had now befallen her citizens †. Men were glutted with

* The grandees had their slaves sometimes educated to serve as secretaries to themselves, or as preceptors to their children.

† See Plutarch. in Pyrr. The philosopher Cyneas, in the hearing of Fabricius, entertained his prince with an argument to prove that pleasure was the chief good. Fabricius wished that the enemies of Rome might long entertain such tenets.

national prosperity ; they thought that they were born to enjoy what their fathers had won, and saw not the use of those austere and arduous virtues by which the state had increased to its present greatness. The votaries of this sect ascribed the formation of the world to chance, and denied the existence of Providence. They resolved the distinctions of right and wrong, of honour and dishonour, into mere appellations of pleasure and pain. Every man's pleasure was to himself the supreme rule of estimation and of action. All good was private. The public was a mere imposture, that might be successfully employed, perhaps to defraud the ignorant of their private enjoyments, while it furnished the conveniences of the wise *. By persons so instructed, the care of families and of states, with whatever else broke in upon the enjoyments of pleasure and ease, were classed among the follies of human life. And a sect under these imputations might be considered as patrons of licentiousness, both in morality and religion, and declared enemies to mankind. Yet the Epicureans, when urged in argument by their opponents, made some concessions in religion, and many more in morality. They admitted the existence of gods, but supposed those beings of too exalted a nature to have any concern in the affairs of men. They owned that, although good and pleasure were synonymous terms, yet, among the varieties of pleasure, those of virtue were the chief. A concession after which they ought to have said, that virtue or the

* Cicero in Pisonem.

chief pleasure was also the chief good, yet they still returned to the general appellation of pleasure, at the hazard of misleading the vulgar and even themselves in their choice * ; and while they contended that their difference with other sects consisted in a mere dispute about words, those they were pleased to employ served to suppress the specific sentiments of conscience and elevation of mind, and to change the reproaches of criminality, profligacy, or vileness, by which even bad men are restrained from iniquity, into mere imputations of mistake, or variations of taste.

Other sects, particularly that of the Stoicks, maintained, almost in every particular, the reverse of these tenets. They maintained the reality of Providence, and of a common interest of goodness and of justice, for which Providence was exerted, and in which all rational creatures were deeply concerned. They maintained, that although it be evident that happiness or the chief good is pleasant ; yet it were absurd conversely to say, that every pleasure is happiness or the chief good. In the application of these terms, we must attend to the exemption from suffering, as well as the measure of enjoyment ; and as

* Even the leader of this sect himself, though more pure in the choice of his pleasure than many of his followers, yet was far from being regulated in the choice he made by the more important occasions of human life. To him the rearing of a family, without which the human race must speedily perish ; the offices of state, without which society cannot exist ; were not only superfluous, but expressly precluded from the choice of a wise man. His virtue was to be found in the peaceful retirement of a garden, in exemption from pain or trouble, in contemplation and serenity of mind, in the society of a few select friends, with sobriety and moderation of diet, and other sensualities.

our understanding cannot reach every possible effect upon which to estimate the least measure of pain, and the greatest of pleasure, Providence has not left us to the effect of such a discussion : we are taught to choose, on the first inspection of things, the part of the innocent, of the praiseworthy and just : Of this choice the pleasure is most delightful, and the sense of having failed in it, the most grievous pain : in so much, that although in the nature of things there are many grounds upon which we prefer or reject the objects that present themselves to us, yet the choice which we make, and our own actions, not the event of our efforts, decides our happiness or our misery ; that right and wrong are the most important and the only grounds upon which we can at all times safely proceed in our choice, and that, in comparison to this difference, every thing else is of no account ; that a just man will ever act as if there was nothing good but what is right, and nothing evil but what is wrong ; that the Epicureans mistook human nature when they supposed all its principles resolvable into appetites for pleasure, or aversions to pain ; that honour and dishonour, excellence and defect, were considerations which not only led to much nobler ends, but which were of much greater power in commanding the human will ; the love of pleasure was grovelling and vile, was the source of dissipation and of sloth ; the love of excellence and honour was aspiring and noble, and led to the greatest exertions and the highest attainments of our nature. They maintained, that there is no private good separate from the

public ; that the same qualities of the understanding and the heart, wisdom, benevolence, and courage, which are good for the individual, are so likewise for the public ; that these blessings every man may possess, independent of fortune or the will of other men ; and that whoever does possess them has nothing to hope, and nothing to fear, and can have but one sort of emotion, that of satisfaction and joy ; that his affections, and the maxims of his station, as a creature of God, and as a member of society, lead him to act for the good of mankind ; and that for himself he has nothing more to desire, than the happiness of acting this part. These, they said, were the tenets of reason leading to a perfection, which ought to be the aim of every person who means to preserve his integrity, or to consult his happiness, and towards which every one may advance, although no one has actually reached it.

In these disputes, the celebrated fable of Prodicus seemed to be realized ; and as virtue and pleasure there contended for the ear of youth, integrity and corruption now strove for acceptance with a pampered and restless people.

Among those on whom the public fortune seemed to depend, Cæsar is said to have embraced the doctrines of Epicurus ; Cato those of Zeno : The first, from indifference to moral distinctions, in compliance with fashion, or from the bias of an original temper : The other, from the force of conviction, as well as from the predilection of a warm and ingenuous mind. When such characters occur together, it is impossible not to see them in contrast.

And Sallust, in relating what passed in the Senate, on the subject of the Cataline conspiracy, seems to overlook every other character, to dwell upon these alone. Cæsar, at the time when this historian flourished, had many claims to his notice *; but Cato could owe it to nothing but the force of truth. He was distinguished from his infancy by an ardent and affectionate disposition. This part of his character is mentioned on occasion of his attachment to his brother Cæpio, and the vehement sorrow with which he was seized at his death. It is mentioned, on occasion of his visit to the Dictator Sylla, when he was with difficulty restrained, by the discretion of his tutor, from some act or expression of indignation against this real or apparent violator of public justice. He had from his infancy, according to Plutarch, a resolution, a steadiness, and a composure of mind, not to be moved by flattery, not to be shaken by threats. Without fawning or insinuation, he was the favourite of his companions, and had, by his unaffected generosity and courage, the principal place in their confidence. Though in appearance stern and inflexible, he was warm in his affections, and zealous in the cause of innocence and justice. Such are the marks of an original temper, affixed by historians as the characters of his infancy and early youth. So fitted by nature, he imbibed with ease an opinion, that profligacy, cowardice, and malice, were the only evils to be feared; courage, integri-

* Sallust attached himself to Cæsar, and was employed by him in the civil wars.

ty, and benevolence, the only good to be coveted ; and that the proper care of a man on every occasion is, not what is to happen to him, but what he himself is to do. With this profession he became a striking contrast to many of his contemporaries ; and to Cæsar in particular, not only a contrast, but a resolute opponent ; and although in these times he could not furnish a sufficient counterpoise, yet he afforded always much weight to be thrown into the opposite scale. They were both of undaunted courage, and of great penetration ; the one to distinguish what was best ; the other to avail himself of the most effectual means for the attainment of any end on which he was bent. It were to mistake entirely the scene in which they were engaged, to judge of their abilities from the event of their different pursuits. Those of Cato were by their nature in direct opposition to the current of manners, and they were a series of struggles with almost unsurmountable difficulties : those of Cæsar went with the stream, and, except when he was jostled in the competition with others who ran the same course with himself, he had only to seize the advantages of which the vices and weaknesses of the times gave him an easy possession. Cato endeavoured to preserve the order of civil government, however desperate, because this was the part it became him to act, and in which he chose to live and to die. Cæsar hastened its ruin ; because he was eager for power, and wished to dispose of all the wealth and honours of the state at his own discretion.

Cæsar, as versatile in his genius, as Cato was steady and inflexible, could personate any character, and support any cause ; in debate he could derive his arguments from any topic ; from topics of pity, of which he was insensible ; from topics of justice and public good, for which he had no regard. His vigour in resisting personal insults or attacks appeared in his early youth, when he withstood the imperious commands of Sylla, to part with his wife, the daughter of Cinna, and when he revenged the violence done by the pirates to himself ; but while his temper might be supposed the most animated and warm, he was not involved in business by a predilection for any of the interests on which the people was divided. So long as the appetites of youth were sufficient to occupy him, he saw every object of state, or of faction, with indifference, and took no part in public affairs. But even in this period, by his application and genius, in both of which he was eminent, he made a distinguished progress in letters and eloquence. When he turned his mind to objects of ambition, the same personal vigour which appeared in his youth, became still more conspicuous ; but, unfortunately, this passion, the most energetic and powerful in the human mind, instead of urging to genuine greatness, and elevation of nature, was in him a mere principle of competition among the leaders of faction at Rome. He had attained to seven-and-thirty years of age before he took any considerable part as a member of the commonwealth. He then courted the populace in preference to the Senate or better sort of the people, and made his first

appearance in support of the profligate, against the forms and authority of government. With persons of desperate fortune and abandoned manners, he early bore the characters of liberality and friendship ; was received among them as a generous spirit, come to explode the morose severity of those who would restrain the freedom of youth within the limits of sobriety and public order. Though himself a person of the greatest abilities, and the most accomplished talents, having an opportunity to live on terms of equality with the greatest men that have yet appeared in the world, he chose to start up as the chief among those who, being abandoned to every vice, saw the remains of virtue in their country with distaste and aversion. In proportion as he emerged from the avocations of pleasure, or from the sloth which accompanies the languor of dissipation, his desire to counteract the established government of his country, and to make himself master of the commonwealth, became more and more evident. To this passion he sacrificed every sentiment of friendship or animosity, of honour, interest, resentment, or hatred. The philosophy which taught men to look for enjoyment indiscriminately wherever it pleased them most, found a ready acceptance in such a disposition. But while he possibly availed himself of the speculations of Epicurus to justify his choice of an object, he was not inferior to the followers of Zeno, in vigorous efforts and active exertions for the attainment of his ends. Being about seven years younger than Pompey, and three years older than Cato ; the first he occasionally employed as a prop to his own ambi-

tion, or at least, in the early part of his career, did not seem to perceive him as a rival; the other, from a fixed animosity of opposite natures, and from having felt him as a continual opponent in all his designs, he sincerely hated.

Cato began his military service in the army which was employed against the gladiators, and concluded it as a legionary Tribune, under the Praetor Rubrius, in Macedonia, while Pompey remained in Syria. He was about three-and-thirty years of age when he made his speech in the Senate relating to the accomplices of Cataline; and by the decisive and resolute spirit he had shown on this occasion, came to be considered as a principal support of the government and authority of the Senate *. To this body, as usual, every flagrant disorder repressed, brought an accession of power; and the discovery of a design, so odious as that of Cataline, covered under popular pretences, greatly served to discredit the supposed popular cause. One of the first uses the Senate proposed to make of their advantage, was to have Cato elected among the Tribunes of the subsequent year. His services were likely to be wanted in opposition to the schemes of Metellus Nepos, who was then arrived from the army in Syria, with recommendations to public favour as a candidate for the office of Tribune; and if he should prevail in the election by the influence of Pompey, it was not doubted he came charged with some measure to gratify the ambition or vanity of this insatiable suitor for personal consi-

* Plutarch, in Caton. edit. Lond. p. 258.

deration and honour. It had not yet appeared what part he was to take in the disputes which were likely to arise on the legality or expedience of the late summary executions; but it is not to be doubted, that he wished to hold the balance of parties, and that he would come prepared for the part that was most likely to promote his own importance. Metellus was sent on before him to be supported by his friends in the competition which was expected, and with his instructions to take such measures as were likely to favour his pretensions.

The leading men of the Senate were now, for some time, aware of the intrigues of Pompey, and bore, with impatience, the personal superiority which he affected even to the first and most respected men of their order. They took occasion, in the present crisis, to mortify him by admitting Lucullus and Metellus Creticus to the triumphs to which, by their respective victories in Pontus and in Crete, they were long entitled. Hitherto the claims of these officers had been overruled by the popular faction, either to annoy the senatorian party, to which they were attached, or to flatter Pompey, who was supposed to be equally averse to the honours of both. They had waited in Italy about three years, and, in the manner of those who sue for a triumph, still retaining the fasces or ensigns of their late command*, had refrained from entering the city.

Lucullus, having obtained the honour that was due to him, seemed to be satisfied with the acknow-

* Cicero in Lucullo.

ledgment of his right ; and, as if merely to show with what sort of enemy he had fought, he entered the city with a few of the Armenian horsemen cased in armour, a few of the armed chariots winged with scythes, and about sixty of the officers and courtiers of Mithridates, who were his captives. He ordered the spoils he had gained, the arms and ensigns of war, the prows of the galleys he had taken, to be displayed in the great circus, and concluded the solemnity with giving a feast to the people. The Senate hoped for his support against the ambition of Pompey, and the factious designs of the popular leaders ; but he was disgusted, and from thenceforward scarcely ever took a part in the affairs of state.

The triumph of Metellus Creticus did not take place till after the accession of P. Junius Silanus and Lucius Muræna, Consuls of the following year ; after whose election, Cicero, before he had vacated the office, or laid down the fasces, had occasion to defend his intended successor Muræna, against a charge of corruption brought upon the statute of Calpurnius, by Servius Sulpicius, one of his late competitors, supported by Cato and others. The oration of Cicero on this occasion is still extant, and is a curious example of the topics which, under popular governments, are recurred to even in judicial pleadings. Great part of it consists in a ridicule of law terms ; because Sulpicius, one of the prosecutors, used to give counsel to his friends who consulted him in matters of law ; and in a ridicule of the Stoic philosophy, because Cato, another prosecutor, was supposed to have embraced the doctrines of that sect.

Cato made no other remark on this pleading, but that the republic was provided with a merry Consul. The argument, however, appeared sufficiently strong on the side of Muræna, and he was acquitted.

At the close of this trial, Cicero, about to abdicate his power, and being to make the usual asseveration, upon oath, That he had faithfully, and to the best of his abilities, discharged his trust; proposed to introduce this solemnity with a speech to the people, but was ordered by Metellus, already elected, and acting in the capacity of Tribune, to confine himself to the simple terms of his oath. He accordingly refrained from speaking; but instead of swearing simply, That he had been faithful to his trust, he took an oath, That he had preserved the republic *. It was on this occasion, probably, that Cato, now another of the Tribunes, addressing himself to the people, and alluding to the suppression of the late conspiracy, called Cicero the Father of his Country †; and from this time entered upon an opposition to his colleague Metellus, which was not likely to drop while they continued in office.

Soon after the accession of the new magistrates,
U. C. 691. a storm began to gather, which, though
D. Junius Silanus, L. Muræna. still aimed at the party of the Senate, burst at last in a personal attack upon the late Consul, who had been the prompter or instrument of the Senate in the late summary proceedings against the accomplices of Cataline. Metellus Nepos seems to have come from Asia, and to have

* Plutarch. in Cicerone.

† Cicer. in Pisonem, c. 3.

entered on the office of Tribune, with a particular design to bring about the reception of Pompey with his army into Rome; and in this project he was joined by Caius Cæsar *, now in the office of Prætor, who chose to support the Tribune in this measure, as an act of hostility to the Senate, if not as the means of obtaining a precedent of which he might in his turn avail himself.

In consequence of a plan concerted with Cæsar, the Tribune Metellus moved in the Senate, as had been usual in the times of its highest authority, for leave to propose a decree in the assembly of the people recalling Pompey from Asia at the head of his forces, in order to restore the constitution of the commonwealth, which, in the terms he afterwards employed to the people, had been violated by the arbitrary administration of Cicero. This was the first attempt of the party to inflame the minds of the people on the subject of the late executions; and Pompey was, in this manner, offered to the popular party as their leader, to avenge the supposed wrongs they had received. Cato, when the matter was proposed in the Senate, endeavoured to persuade Metellus to withdraw his motion, reminding him of the dignity of his family, which had been always a principal ornament and support of the state. This treatment served only to raise the presumption of Metellus, and brought on a violent altercation between the Tribunes. The Senate applauded Cato, but had not authority enough to prevent the mo-

* Sueton. in Jul. Cæs. c. 16.

tion which was proposed from being made to the people.

Metellus, apprehending an obstinate resistance from his colleague, endeavoured to fill the place of assembly with his own partisans; and, on the evening before the meeting, in order to intimidate his opponents, paraded in the streets with a numerous attendance of men in arms. The friends and relations of the other Tribunes earnestly beseeched them not to expose themselves to the dangers with which they were threatened. But, on the following day, the other party being already assembled by Metellus, at the temple of Castor, and the place having been in the night occupied by persons under his direction, armed with clubs, swords, and other offensive weapons *, Cato went forth attended only by Minutius Thermus, another of the Tribunes, and a few friends. They were joined by numbers in the streets, who could not accompany them to their place, being prevented by the multitude of armed men who already crowded the avenues and the steps of the temple. But they themselves, from respect to their office, being suffered to pass, dragged along with them through the crowd, as an aid, in case any violence were offered, Munatius, a citizen much attached to Cato. When they came to the bench of Tribunes, they found that Metellus, with the Praetor Julius Cæsar, had taken their places there; and that, in order to concert their operations in the conduct of this affair, they were closely seated together.

* Plutarch. in Catone, edit. Lond. p. 241, &c.

Cato, to disappoint this intention, forced himself in betwixt them, and, when the ordinary officer began to read the intended decree, interposed his negative, or forbade him to proceed. Metellus himself seized the writing, and began to read ; but Cato snatched it out of his hands. Metellus endeavoured to repeat the substance of it from his memory. Thermus clapped a hand to his mouth. A general silence remained in the assembly, till Metellus, having made a signal concerted with his party to clear the comitium of their enemies, a great tumult and confusion arose ; and the Tribunes who opposed Metellus were in imminent danger. The Senators had met in mourning, to mark their sense of the evils which threatened the commonwealth ; and now, under the apprehension of some signal calamity, gave a charge to the Consuls to watch over the safety of the state, and empowered them to take such measures as might be necessary to preserve or to restore the peace *.

In consequence of this charge, the Consul Muræna appearing with a body of men in arms, had the good fortune to rescue Cato and Minutius Thermus ; and probably by this seasonable interposition effaced any remains of misunderstanding which might have subsisted between Cato and himself, on account of the prosecution for bribery which followed the late elections †.

Metellus, after the tumult was composed, having again obtained silence, began to read the proposed

* Plutarch. in Catone, edit. Lond. p. 241, &c.

† Plutarch. ibid.

decree ; but the senatorian party, headed by the Consuls, being then in the comitium, he found it impossible to proceed ; and, together with the Praetor Caius Cæsar, retired from the assembly. From this time, these officers made no attempt to resume their motion; but complained that the government was usurped by a violent faction, under whom even the persons of the Tribunes were unsafe ; and Metellus, as if forced to break through the rules which obliged the Tribunes to constant residence at Rome, abandoned the city, even left Italy, and fled to the camp of Pompey in Asia, from which he had but lately set out on his journey to Rome*. He had already threatened his opponents in the city with the resentment and military power of his general, and now endeavoured to excite the army and their commander to follow the example which had been set to them by Sylla and his legions, when oppressed citizens, a description which he now assumed to himself, fled to them for protection and revenge.

It may well be supposed, that Cæsar, remembering his own escape from the ruin of the Marian faction, and considering Pompey as the head of an opposite interest, and a principal obstacle to his own ambition, must look upon him with some degree of personal dislike and animosity ; but his conduct on this occasion sufficiently shewed how little he was the dupe of any passion or sentiment which had a tendency to check his pursuits. Meaning for the present only to weaken the Senate, and to par-

* Dio. Cass. lib. xxxvii, p. 45.

take in the favour which Pompey enjoyed with the people ; he undertook the cause even of a rival, and would have joined the populace, in delivering the commonwealth into his hands, rather than remain under a government which he considered as the principal bar to his own elevation. But if he really meant to overthrow the Senate by force, he mistook his instrument. Pompey, no doubt, aspired to be the first among citizens, and wished for the ostentation of military power at Rome ; but even this he desired to receive as the fruit of consideration and personal respect ; and he ever hoped to make the people bestow it, and even force him to accept of it as their gift. For this purpose he encouraged so many agents and retainers to sound his own praise ; and for this purpose he had recently sent Metellus Nepos from his camp in Asia to take upon him the functions of a popular Tribune at Rome ; but having failed in the project of vanity, his mind misgave him in the project of force. No one ever courted distinction with a more incessant emulation to his rivals ; but he was entirely dependent on the public opinion for any satisfaction he enjoyed in the possession of power. Trusting perhaps to this part of his character, Cæsar, though no way remiss as a rival, was not yet alarmed at the elevation of Pompey, and thought that he was safe in admitting him to govern with the sword at Rome. Pompey was, at this conjuncture, with his army moving towards Italy, and his approach was matter of great apprehension to the friends of the commonwealth, who feared that, in return to the

affront of his not being invited, upon the motion of Metellus, to come with his army, he would employ it in person to enforce his commands. Upon his arrival at Brundisium, however, as formerly upon his return from Africa, he dispelled those fears by an immediate dismission of the troops, with instructions, merely that they should attend at his triumph. He himself came forward to Rome with the single equipage of his proconsular rank. Multitudes of every condition went forth to receive him, and with shouts and acclamations recompensed the moderation with which he acquiesced in the condition of a citizen.

Cæsar, from whatever motive he acted in regard to Pompey, gave every other sign of disaffection to the Senate, and employed the name of this rising favourite of the people, to mortify such of the members in particular as were objects of personal animosity to himself. The repairs or rebuilding of the Capitol being finished about this time, the honour of dedicating the edifice, and of being named in the inscription it was to bear, was, by a resolution of the Senate, conferred on Catulus, under whose inspection the work had been executed. But Cæsar, affecting to obtain this honour for Pompey, alleged that Catulus had embezzled the money allotted for the service; that much yet remained to be done; and moved, that the inscription of Catulus should be erased; that the completion of the work being left to Pompey, should carry an inscription with his name*. Here he probably acted as much from an-

* Sueton. in Jul. Cæsare, c. 15.

tipathy to the one, as from an intention to flatter the other. But the design being extremely odious to the whole body of the Nobles, who saw with indignation, in that proposal, an attempt to affront a most respectable citizen, in order to flatter the vanity of one person, and to gratify the profligate resentments of another ; under this aspect of the business, Cæsar was obliged to withdraw his motion *.

It was probably during this year in which Cæsar was Prætor, and before the arrival of Pompey from Asia (although historians refer it to an earlier date), that Cæsar promoted, as has been already mentioned, prosecutions upon a charge of assassination against some of the persons concerned in the execution of Sylla's proscriptions. The Prætors had in charge by lot to superintend the application of particular laws. The law respecting assassination appears to have been the lot of Cæsar ; and he was entitled, in virtue of his office, the jurisdiction of which was still very arbitrary, to extend, by his edict or plan of proceeding for the year, the description of the crime under his cognisance to any special case.

While he seemed to have formed so many designs against the peace of the commonwealth, and in the capacity of Prætor supported them with the authority of a magistrate, the senatorian party made a powerful exertion of their influence to have him suspended, and actually obtained a decree for this purpose. He affected at first to slight their authority ;

* Dio. Cass. lib. xlvii, c. p. 44.

but finding that a power was preparing to enforce it, perhaps at the hazard of his life, he laid aside for some time the robes and badges of magistracy, dismissed his lictors, and abstained from the functions of Praetor, until, having rejected an offer of the people to restore him by force, he was, with proper marks of regard, for this instance of moderation and duty, reinstated by an act of the Senate itself*.

The aristocratical party, meanwhile, to confirm and perpetuate the evidence on which they had proceeded against the accomplices of Cataline, continued their prosecutions on this subject, and obtained sentence of condemnation, in particular, against a citizen of the name of Vergunteius, and against Autronius, who, about two years before, having been elected Consul, was set aside upon a charge of bribery, and who, from the disgust which he took to the Senate upon that occasion, had connected himself with the more desperate party. Publius Sylla, as has been mentioned, was also tried; but upon the pleading and testimony of Cicero, who possessed all the information obtained on this subject, was honourably acquitted.

Cæsar likewise was accused by Vectius as accessory to the conspiracy of Cataline; but it is not likely that he was concerned farther than by the general encouragement he gave to every party at variance with the Senate. Opposition to this body was reputed the cause of the people, and was pretended by every person who had any passions to gratify by

* Sueton. in Jul. Cæsare, c. 16.

crimes of state, or who wished to weaken the government, to which they themselves were accountable. Among the supporters of this interest, Crassus also was accused, but probably on no better grounds than Cæsar.

The whole of these proceedings, however, were suspended by the approach of Pompey. This leader had now drawn the attention of all men upon himself, was quoted in every harangue as the great support of the empire, and courted by multitudes, who, without inquiry, or knowledge of his person, affected to be classed with his admirers and friends. While the contagion spread, like a fashion, among the people, he himself affected indifference to this mighty tide of renown, though not without much dignity and state, which he tempered with affability and grace ; employing the greatness he possessed to give the more value to his condescensions. His manner, though acceptable to the people, and the army he commanded, was disagreeable to the Senate. Having previously sent Piso, one of his lieutenants, before him to stand for the Consulate, he had the presumption to desire that the Senate would defer the elections until he himself could be present to canvass for his friend. The Senate, according to Dio, complied with his desire ; but, according to Plutarch, rejected the proposal with disdain. This author imputes the resolution, which they took up on this occasion, to Cato, and subjoins, that Pompey afterwards endeavoured to gain this opponent by a proposed marriage with one of his near relations ; and that Cato declined the connection, say-

ing, That he should not be caught in a female snare. Piso, however, was elected, together with Valerius Messala, and entered on his office before the solemnity of Pompey's triumph.

This followed soon after; and, though continued
 U. C. 692. for two days, could not make place for all
 M. Pub. the magnificent shows which had been pro-
 Piso Cal- vided to adorn it. The list of conquests
 purnius, M. Val. Mes- exceeded that which had ever been produ-
 sala Niger. ced at any other triumph; including Asia, Pontus,
 Armenia, Cappadocia, Paphlagonia, Medea, Colchis,
 Iberia, Albania, Syria, Cilicia, Mesopotamia, Phœ-
 nicia, Judea, Arabia, Scythia, Crete *, with the sea
 on all its coasts. Among the nations or potentates
 subdued, were the Basterni, Mithridates and Tigranes.
 Among the captures, a thousand fortresses,
 nine hundred cities reduced, eight hundred galleys
 taken, above two millions of men in captivity. Towns
 repeopled, not less than three hundred and ninety-
 nine. To this pompous list, it was subjoined by his
 frierids, that, this being his third triumph, he had
 now made a round of the known world, or had tri-
 umphed over all the three parts of the earth, Africa,
 Europe, and Asia.

After rewarding the soldiers, of whom none received less than fifteen hundred denarii †, he carried to the treasury twenty thousand talents ‡. Among his principal captives, were led, besides the chief pirates, Tigranes, son to the king of Armenia, with his wife and his daughter,—Zozimé, the queen of Tigranes

* Plin. Nat. Hist. lib. vii. c. 26. † About L. 50. ‡ About L. 3,860,000.

the father,—Aristobulus, king of the Jews,—a sister of Mithridates with five sons, and some Scythian women ;—the hostages of the Iberii, and the Commageni, together with trophies for every battle he had fought, making in all a more splendid exhibition than any that was to be found on the records of the state.

The triumphal processions of Pompey merit more attention than those of any other person, because they exhibit his character as well as military success. Others took the benefit of an established practice to publish and to ratify the honours they had acquired ; but Pompey, it is likely, would have invented the triumph, even if it had not been formerly thought of ; and it is not to be doubted, that he overran some provinces in which the enemy were subdued, or in which they were so weak, as not to be able to make any resistance, merely to place them in the list of his conquests ; and that he made some part of his progress in Asia merely to accumulate trophies and ornaments for this pompous scene.

The triumph, in its ordinary form, consisted only of such exhibitions as had a reference to the service in which it was obtained ; the captives and spoils of the enemy, with effigies or representations of the first, where the originals, by any accident, could not be displayed. But in the solemnities instituted for the honour of Pompey, were admitted whatever could distinguish or signalize the occasion. Among these, according to the record transcribed by Pliny *,

* Nat. Hist. lib. xxxvii, c. 2.

there were many costly ornaments of gold and of precious stones, not taken from the enemy, but fabricated on purpose to be shown. Plates, used for some species of game or play, made of one entire crystal ; a model of the moon in gold, weighing thirty pondo ; tables, utensils, statues, crowns adorned with precious stones, the representation also of an entire mountain in gold, with its herds of deer, and other animals, haunted with lions : and what serves as an evidence that these exhibitions were not limited to the spoils actually taken in war, there is mentioned an effigy of Pompey himself incrusted with pearls. The whole conducted with more arrangement and order, than were necessary, perhaps, in the disposition made for any of the battles which the triumph was intended to celebrate.

Among the images, representations, and memorials which were carried before the victor on this occasion, there was held up to view a state of the public finance, from which it appeared, that before Pompey's time the revenue amounted to no more than fifty millions * ; and that the addition which he alone brought to it amounted to eighty-five millions †.

Soon after this pomp was over, an assembly of the people was called in the Circus Flaminus, to receive an address from the victorious commander ; but from an extreme caution not to offend any party, the speech which he made, upon this occasion, was acceptable to none. " It gave no hopes," says Cice-

* L. 416,666.

† L.708,335. Plutarch. in Pompeio, edit. Lond. p. 470.

ro *, “ to the poor ; no flattery to the rich ; no satisfaction to the good ; no encouragement to the profligate.” Pompey was suffered to possess the highest place in the consideration of the public, merely because he assumed it ; and he preserved his dignity, by never committing his reputation without being prepared, or without having concerted a variety of arts by which it might be supported †.

* Cicer. ad Atticum, lib. i, ep. 14.

† Sallust, in Catalin. c. 54, in contrasting the characters of Cæsar and Cato, does not propose to decide on the comparative merit of their objects ; for this he assumes to have been consideration or glory, and the same in both ; but in reality he seems to have mistaken the object of either. That of Cæsar was not consideration ; for although he courted the public opinion, when subservient to his power, yet he slighted it also, when it stood in his way to dominion. In the object of Cato, consideration had no share. His life was distinguished by the general tenor of reason, integrity, humanity and justice, in the public cause, whatever the world might think of his conduct. And his resolution often led him into measures, unsuccessful from the want of co-operation in a corrupt or misguided age. The great distinction of Pompey, if we insert his character into this comparison, was the prevailing attention to consideration or glory, in preference to either virtue or power.

CHAP. XIX.

Transactions at Rome, and in the provinces.—Julius Cæsar appointed, in the quality of proprietor, to his first province of Lusitania.—Trial of Clodius.—Proposed adoption into a plebeian family, to qualify him for the office of tribune.—Cæsar, a candidate for the consulship.—The triumvirate of Cæsar, Pompey, and Crassus.—Consulship of Cæsar.—Motion of Vatinius, to confer on Cæsar, for five years, the command in Gaul.—Marriage of Pompey to Julia.—Of Cæsar to Calpurnia.—Plot of Vettius.—Consulate of Lucius Calpurnius and A. Gabinius.—Attack made upon Cicero.—His exile.

POMPEY, at his departure from Syria, left that province with two legions under the command of M. Æmilius Scaurus, one of his lieutenants. This officer occupied the country from the Euphrates to the frontier of Egypt, and continued the war which his predecessor had begun with the Arabs.

Caius Antonius, the late colleague of Cicero in the Consulate, soon after the defeat of Cataline, proceeded to the province of Macedonia, of which, by the arrangements of the year, he had been appointed the governor. He entered his province with the ensigns of victory, which had been obtained by the defeat of Cataline; but these he soon forfeited by his misconduct in a war against the Thracians, and by the disgrace which he otherwise incurred in the mal-

administration of his province. Complaints were exhibited against him for extortion. On this occasion, it had been reported by himself, or by some of his family, that, having agreed to divide the profits of his government with Cicero, part only of his exactions was made on his own account. This allegation, Cicero, in a letter to Atticus, mentions with scorn ; and, being asked to undertake the defence of Antonius, questions whether he can decently do so under this imputation *. But as he soon afterwards undertook the cause, and employed his interest to have the Proconsul continued in his province, it is probable that this imputation either gained no credit, or was entirely removed †.

The Allobroges, though deprived of the support they were made to expect from the party of Catiline, nevertheless took arms, and invaded the Roman province of Gaul. After a variety of events, they were repulsed by Pontinius, who then commanded the legions in that quarter, and forced to retire into their own country ‡.

About the same time, Caius Julius Cæsar, upon the expiration of his term in the office of Praetor, obtained his first military command, being appointed by lot to the government of Lusitania, where, under different pretences, he found an opportunity to quarrel with the natives, to show his own capacity for war, and to lay some ground for his claim to a triumph §. In pushing his way to the preferments

* Vid. Cicero ad Atticum, lib. i, ep. 12. † Ad Familiar. lib v, ep. 5.

‡ Dio, lib. xxxvii.

§ Ibid. c. 52. &c.

which he now held in the state, he had ruined his fortune by largesses, public shows, and entertainments to the people, by his lavish bounty in private to needy and profligate citizens, and in supporting every desperate cause against the Senate and the Government; and is reported to have said of himself, when he set out for his province, that he needed one hundred and fifty millions Roman money, or one million two hundred thousand pounds sterling, to be worth nothing *. When about to depart from the city, he was pressed by his creditors, and had recourse to Crassus, who became his surety for great sums †.

A person who, in any other state than that of Rome, could suppose such a fortune reparable, must have thought of means alarming to the state itself; but Cæsar had now quitted the paths of pleasure for those of ambition; and, in an empire which extended over so many opulent provinces, needed only to have power, in order to become rich. Although the province which now fell to his lot was not the most wealthy, or was only a step to somewhat farther, more considerable, and more likely to supply him with the means of pursuing his objects, he was nevertheless reported, even there, to have supplied his own wants, and to have enriched his army ‡.

In passing the Alps, on his way into Spain, at a village on the way, one of his company having observed, that, “ *Here too there might be parties and*

* Appian. de Bell. Civ. lib. ii, p. 715.

† Ibid. About L. 160,000. Plutarch. in Cæsare.

‡ Ibid. edit. Lond. p. 111.

"contests for power : " " Ay," said Caesar, with a characteristical confession, " and I would rather be the first man in this place, than the second at Rome *." Upon his arrival in Lusitania, he made the necessary augmentation of the army, and soon overran all the districts that were disposed to resist his authority. With the same ability with which he conducted his military operations, he supported the dignity of a Roman governor, no less in the civil than in the department of war. Historians, upon an idea which occurred to them, that the disorder in his own affairs might have rendered him partial to insolvent debtors, and being at pains to acquit him of any such charge, observe that he gave proofs of the contrary; among which they specify a rule which he followed, in ordering two-thirds of the debtor's effects to be sequestered for the use of his creditors †.

While these things passed in the provinces, the people being indulged in their favourite gratifications, suffered an increase of the political distempers with which the public had been for some time infected. The expense and dissipation attending the public shows, in particular, were augmented to a great degree. Lucius Domitius Ahenobarbus exhibited the baiting of an hundred bears by African huntsmen ‡; and whereas such entertainments had formerly ended at one meeting, they were now con-

* Plutarch. in Cæsare, edit. Lond. p. 111. † Ibid. p. 112.

‡ Plin. Nat. Hist. lib. viii, c. 36.

tinued through many acts *, and were intermitted only while the spectators retired to their meals.

The office of Censor, as appears from the transactions which are mentioned relating to the farmers of the revenue and the rolls of the Senate, was in actual exertion at this time, although the names of the persons by whom it was exercised are not recorded. These officers are said to have let the revenues of Asia at a rate, of which the farmers afterwards complained, alleging, that their own avidity in grasping at the profits to be made in this new province had misled them †. The Censors likewise put upon the rolls of the Senate all who had ever held any office of magistracy, and by this addition increased the number of members beyond the former and ordinary rate ‡.

About the same time happened the memorable trial of Publius Clodius, for the scandal he had given by profaning the sacred rites in Cæsar's house. This debauchee was supposed, for some time, to have sought for an opportunity of a criminal correspondence with Pompeia, Cæsar's wife; but to have been prevented, if not by her own discretion, at least by the attention and vigilance of her family ||. In these circumstances, during the preceding year, it fell to the lot of Pompeia, as being wife to one of the Praetors in office, to celebrate, at her house, the festival of a certain female deity § worshipped by

* Dio. Cass. lib. xxxvii, c. 47.

† Cic. ad Atticum, lib. i, ep. 17.

‡ Dio. lib. xxxvii, c. 46.

|| Plutarch. in Cæsare, edit. Lond. p. 109.

§ Called the Bona Dea.

the Romans, and at whose rites women alone were admitted. Every male domestic, even the husband, was obliged to absent himself from home while the rites were administered. Clodius took this opportunity to carry on his intrigue ; put himself in a female dress, and, being young and of an effeminate aspect, expected to pass for a woman *. Pompeia was supposed to be apprised of the design, and to have stationed a female slave to receive and conduct her paramour through the apartments. But being met by another slave who was not in the secret, his voice betrayed him. A cry of amazement and horror was immediately communicated through all the apartments, and the occasion of it discovered to the matrons who were met to celebrate the rites. Clodius escaped, but not without being known. The College of Pontiffs made a report, that the sacred rites had been profaned. The Senate resolved, that inquiry should be made into the grounds of the scandal ; and that the people should be moved to authorise the Prætor in office to select, without drawing lots, proper judges for the trial of the accused.

Clodius, by the suspicion of an incestuous commerce with his own sister, the wife of Lucullus, by his perfidy in seducing the troops of that general to mutiny, and by his profligacy on every occasion, had incurred a general detestation ; and many of the Senators, as the likeliest way of removing him from

* Cicero ad Atticum, lib. i, ep. 12, 13.

the commonwealth, combined in urging the present prosecution against him.

He himself, foreseeing the storm, had taken refuge in the popular party, and endeavoured to silence the voice of infamy, by professing extraordinary zeal for the people, and vehement opposition to the Senate. These parties accordingly became interested in the issue of his cause. The popular leaders endeavoured to preserve him as an useful instrument, and the Senate to remove him, as a vile and dangerous tool, from the hands of their enemies. Even Cæsar, though personally insulted, and so far moved by the scandal which had been given in his own house as to part with his wife, still affected to consider as groundless the charge which was laid against Clodius ; and being asked, why he had parted with a woman who, upon this supposition, must appear to be innocent, said, that his wife must not only be innocent, but above imputation. Pompey, to avoid giving offence, declined to favour either party ; but being called upon in the assembly of the people to declare his opinion, whether this trial should proceed according to the decree of the Senate, made a long speech, full of respect to the nobles, and of submission to the Senate, whose authority, in all questions of this sort, he said, should ever with him have the greatest weight. He afterwards, in the Senate itself, being called upon by Messala the Consul, delivered himself to the same purpose ; and when he had done, whispered Cicero, who sat by him, that he thought he had now sufficiently explained himself ; intimating probably, that he meant to comprehend, in this declaration, also his judgment with

respect to all the acts of the Senate which had passed relating to the accomplices of Cataline *.

The Consul Piso was instructed to carry to the people, for their assent, an act for the better conduct of the trial of Clodius, dispensing with the usual mode of draughting the judges by lot, and authorising the Praetor to select them, that he might name the more respectable persons. On the day on which this motion was to be made, a numerous party of young nobility appeared for the defendant. His hirelings and retainers crowded the Comitium. Even Piso, who moved the question, dissuaded the people from passing the law, and allowed the friends of Clodius to put a ridiculous trick on the assembly, by distributing to the people, as they came forward to vote, two ballots, which, instead of being, as usual, one negative and the other affirmative, were both negative. This trick being observed, Cato, with the authority of Tribune, suspended the ballot, and strongly remonstrated against the proceedings of the Consul †. In this he was supported by Hortensius and Favonius. The assembly broke up, and the affair again returned to the Senate. The members were importuned by Clodius, who cast himself at their feet as they entered; they, nevertheless, confirmed their former resolution by a majority of four hundred to fifteen ‡.

Hortensius, however, having proposed, that, instead of the motion which the Consuls had been in-

* Cicero ad Atticum, lib. i, epist. 13, 14, 16.

† Ibid.

‡ Ibid.

structed to make for the selection of the judges, the Tribune Fusius should move the people to grant commission for the trial, leaving the judges, as usual, to be drawn by lot ; an edict was accordingly framed and passed to this effect. Hortensius, who conducted the trial, was confident that no jury could acquit the accused. And the court, in all their proceedings, seemed at first inclined to severity. They even applied for a guard to protect their persons against the partisans of the criminal ; but the majority, nevertheless, it was alleged, suffered themselves to be corrupted, or took money in the course of the trial. Of fifty-six judges that were inclosed, twenty-five gave their voice to condemn, and thirty-one to acquit. Catulus, on this occasion, asked the majority to what purpose they had desired a guard ? “ Was it,” he said, with a sarcasm, which modern juries could ill endure, “ to secure the money you “ expected to receive for your votes * ? ”

Soon after this judgment the Senate resolved that inquiry should be made concerning those judges who had been corrupted in the trial. And by this resolution gave a general offence to the Equestrian order, who considered it as an imputation on their whole body †.

Pompey, in the course of this transaction, had been obliged to declare himself for the Senate ; but his object was to be on good terms with all parties, and to manage his interest, by having some of his

* Dio. Cass. lib. xxxvii, c. 46. Cicero ad Att. lib. i, ep. 16.

† Ibid. Ibid.

creatures always chosen into the highest offices of state. He offered, as candidate for the Consulate of the following year, Afranius, one of his dependants, who is represented by Cicero as a person of mean character, and who, having no personal dignity, nor any credit with the people, was to be supported in his canvass by money alone. Pompey himself, and the Consul Piso, openly employed bribery in obtaining votes in his favour *.

A variety of resolutions were obtained in the Senate to restrain these practices. Two of them were proposed by Cato and Domitius. The first was levelled against the Consul Piso himself, and gave permission, on the suspicion of illicit practices respecting elections, to visit the house even of a magistrate. By the other it was declared, that all those who were found distributing money to the people should be considered as enemies to their country †.

The Senate, at the same time, encouraged Lurco, one of the Tribunes, to propose a new clause to corroborate the laws against bribery. By this clause promises of money made to the people, if not performed, did not infer guilt ; but, if performed, subjected the guilty person from thenceforward to pay to each of the Tribes an annual tax of three thousand Roman money, or about twenty-four pounds sterling ; and there being thirty-five Tribes, this tax amounted in all to about eight hundred and forty pounds of our money. That the Tribune might not be interrupted in carrying this law, the Senate far-

* Cicero ad Att. lib. i, ep. 16.

† Ibid.

ther resolved, that the formalities or restrictions of the Lex *Ælia* and *Fusia* * should not be opposed to him †. It appears, however, that the liberality or other influence of Pompey prevailed against these precautions, as Afranius was elected, together with Q. Cæcilius Metellus Celer.

Soon after the election of these officers, the farmers of the revenue of Asia, supported by the whole Equestrian order, complained, as has been mentioned, of the terms of their contract, in which they alleged that they had greatly exceeded what the funds of that province could afford, and made application to the Senate for relief. Their plea was contested for some months with great animosity on both sides ‡,

Upon the accession of the new Consuls, several other matters, tending to innovation and public disturbance, were introduced. Metellus Nepos, late Tribune, being now in the office of Prætor, procured a law to abolish the customs payable at any of the ports of Italy. The Romans, as has been observed, upon the accession of wealth derived from Macedonia, had exempted themselves from all the ancient assessments, and they now completed the exemption of all the Italians from every tax besides that of quit-rents for public lands, and the twentieth penny on the value of slaves when sold or emancipated. They were become the sovereigns of a great empire,

* These were formalities and restrictions provided to check the precipitate passing of laws.

† Cicer. ad Att. lib. i, ep. 16.

‡ Ibid. ep. 17, 18.

and as such, thought themselves entitled to receive, not obliged to pay, contributions *.

The Tribune Herennius, at the same time, made a motion for an act to enable Publius Clodius to be adopted into a plebeian family, which, though an act of a more private nature than any of the former, tended still more to embroil the parties of the Senate and the people. This factious and profligate person had entertained great resentments against many of the Senators on account of the prosecution he had lately incurred, and against Cicero in particular, who, having been called as an evidence on his trial, gave a very unfavourable account of his character. The summary proceedings against the accomplices of Cataline, in which Cicero presided as Consul, exposed him to the resentment of the popular faction ; and Clodius now proposed to qualify himself to be elected Tribune of the people, in order to wreak his vengeance on that magistrate in particular, as well as on the other abettors of the senatorian party. The motion, however, for the present, was rejected, though not finally dropped, either by Clodius himself, or by the popular faction, whose cause he professed to espouse †.

Two other motions were made, in which Pompey was deeply interested : one, to ratify and confirm all his acts in the province of Asia ; another, to procure settlements for the veterans who had served under his command. The first, as it implied a re-

* Cicero ad Att. lib. ii, ep. 16. Dio. Cass. lib. xxvii, c. 51.

† Dio. Cass. lib. xxxvii, c. 51.

flection on Lucullus, many of whose judgments Pompey had reversed, roused this statesman from the care of his household and his table, to that of the republic *. He opposed this motion with vigour, and insisted that the acts of Pompey should be separately examined, and not confirmed in a single vote. In this he was supported by Catulus, by Cato, by the Consul Metellus, and by the Senate in general. Afranius, though vested with the Consulate, and acting almost as the agent of Pompey, had neither dignity nor force to support such a measure ; and Pompey, finding it rejected by the Senate, declined carrying it to the people †.

The other proposal, relating to the allotment of settlements for the soldiers of Pompey, was, by L. Flavius, one of the Tribunes, moved in the assembly of the people, under the title of an Agrarian Law. In this act, to guard against the imputation of partiality to any particular class, certain means of relief were projected for the indigent citizens in general ‡ ; and, to enable the commonwealth to extend its bounty, it was proposed first of all to revoke the conveyance of certain lands, which, having belonged to the public in the Consulate of P. Mucius and L. Calpurnius, were sold by the Senate ; and that the price should be restored to the purchasers. It was proposed, likewise, to seize certain lands which had been confiscated by Sylla, but not

* Plutarch. in Lucullo, edit. Lond. p. 197.

† Dio. lib. xxxvii, c. 49.

‡ Ibid. lib. I.

appropriated to any particular use; and to allot, during five years, the fruits of the recent conquests in Asia to purchase settlements, which should be distributed in terms of this act *.

The Consul Metellus Celer, supported by the Senate, strenuously opposed the passing of this law. But the Tribune persisted with great obstinacy, and, to remove the obstruction he met with, committed the Consul to prison. The whole Senate would have attended him thither, and numbers accordingly crowded to the place, when the Tribune, vested with the sacred defences of his person, to bar their way, planted his stool or chair of office in the door of the prison; and, having seated himself upon it, “This ‘way,’ he said, “you cannot pass; if you mean to ‘enter, you must pierce through the walls †.” He declared his resolution to remain all night where he sat. The parties were collecting their strength, and matters were likely to end in greater extremities than suited the indirect and cautious conduct of Pompey. This politician, although he engaged all his friends to support the motion of Flavius, affected to have no part in the measure, and now probably in secret instructed the Tribune to remove from the doors of the prison. This at least might be suspected from the sudden resolution of the Tribune to give way, saying that he did so at the request of the prisoner, who begged for his liberty ‡.

* Cicer. ad Att. lib. i, ep. 19. † Dio, lib. xxxvii, p. 50.

• ‡ Dio, lib. xxxvii, p. 50.

It is supposed that Pompey, on this occasion, severely felt the checks which his ambition received from the Senate ; that he regretted, for a moment, the dismission of his army, and wished himself in condition to enforce what his craft or his artifice had not been able to obtain. The error he had committed in resigning the sword, if he conceived it as such, might have still been corrected by recovering the possession of some considerable province which would have given him the command of an army and of proper resources to support his power. He, nevertheless, appears to have preferred the scene of intrigue in the city and the capital of the empire ; a choice in which he was probably confirmed by Cæsar, who professed great attachment to him, and who was about this time returned from the government which he held as Proprætor in Lusitania.

This officer, according to Dio, had found some pretence for a war with the nations on the frontier of the Roman province ; had obliged them to take refuge in some of the islands on the coast, and afterwards subdued them in that retreat. His object was to return to resign his command with the reputation of victory, to obtain a triumph, and to offer himself as a candidate for the Consulship of the following year. For this purpose he quitted his province without waiting for a successor, and, upon his arrival at Rome, halted, as usual, with the ensigns of his military rank, at the gates of the city, applied for a triumph, and at the same time made interest for votes at the approaching election *. The Senate, and

* Dio. Cass. lib. xxxvii, c. 50, &c.

the friends of the republic in general, were already become extremely jealous of his designs, and of his credit with the people. From a libertine he was become an ardent politician, seemed to have no passion but emulation or animosity to the more respectable orders of the state : without committing himself, he had abetted every factious leader against them, and seemed to be indifferent to consideration or honours, except so far as they led to power. Cicero and Cato were at this time the principal, or most conspicuous, members of the Senate. The first was possessed of consular rank, great ingenuity, wit, and accomplished talents : the other, possessed of great abilities and an inflexible resolution, embraced the cause of the republic with the same ardour that others displayed in conducting their interests or pursuing their pleasures. He had penetration enough to perceive in Cæsar, long before the Senate in general was alarmed, a disposition to vilify the aristocracy, and, in conjunction with needy and profligate citizens, to make a prey of the republic. Under this apprehension, he opposed him with a degree of keenness which Cæsar endeavoured to represent as a mere personal hatred or animosity to himself.

The Senators, in general, now aware of their danger from Cæsar, were disposed to resist his applications, whether made for honours or for public trust. They, on the present occasion, disputed his pretensions to a triumph ; and, while he remained without the city in expectation of this honour, refused, according to the forms of the commonwealth, to ad-

mit him on the list of candidates for the office of Consul. But the day of election being fixed, Cæsar, without hesitation, preferred the consulate to the triumph, laid down the ensigns of his late military character, assumed the gown, and entered the city as a candidate for the Consulship *.

The people were at this time divided into a variety of factions. Pompey and Crassus distrusted each other, and both were jealous of Cæsar. Their divisions strengthened the party of the Senate, and furnished that body with the means of thwarting separately many of their ambitious designs. This Cæsar had long perceived, and had paid his court both to Pompey and to Crassus, in order to hinder their joining the Senate against him. The expedience of this precaution now appeared more clearly than ever ; and he is supposed to have separately represented to these rivals the advantage which their enemies derived from their misunderstanding, and the ease with which, if united, they might concert among themselves all the affairs of the republic, gratify every friend, and disappoint every enemy. Upon this representation, Pompey and Crassus were reconciled, and agreed to act in concert with Cæsar, and in particular to support him in his pretensions at the approaching elections †.

This private combination, which remained some time a secret, was afterwards, by a kind of mockery, called the *Triumvirate*, alluding to the designation

* Sueton. in Cæsar. c. 18. Dio. lib. xxxvii, c. 54.

† Dio. Cass. lib. xxxvii, c. 54, 55. Plutarch. in Pompeio, Cæsare, et Crasso.

by which certain collegiate offices were known, derived from the numbers which were joined in the commission *. In the mean time, these leaders of supposed opposite factions, in abating their violence against one another, took a favourable aspect of moderation and candour. They paid their court separately to persons whom they wished to gain, and flattered them with hopes of being able to heal the divisions of their country. This sort of court they paid in particular to Cicero ; and by their flatteries, and real or pretended admiration of his talents, seem to have got entire possession of his mind. Pompey affected to place the merits of Cicero greatly above his own. “ I, indeed,” he said, “ have served my ‘ country, but this man has preserved it †.” At this time it appeared that Cicero, though a fine genius, was but a weak man. The Senators, with whom he had hitherto acted, were alarmed : Atticus, it seems, had taxed him with leaving his party, to commit himself into the hands of their enemies. In his answer to this imputation, he seems to have flattered himself that he had made an acquisition of Pompey, not surrendered himself into his power ; at least, that he had reclaimed or diverted him from the dangerous projects in which he had been lately engaged, and that he thought himself likely to succeed in the same manner with Cæsar ; so much, that he triumphed in the superiority of his own conduct to that of Cato, who, by his austerity and vehe-

* As the Decemvirs, Septemvirs, &c.

† Cicero ad Atticum, lib. ii, epist. 1.

mence, he said, had alienated the minds of men otherwise well disposed to the republic *, “ while “ I,” he said, “ by a little discretion, disarm, or even “ reclaim its enemies †.”

Few persons, where his vanity did not blind him, were possessed of more penetration than Cicero ; but it will afterwards appear how egregiously he was mistaken on this occasion : he chose not to see what checked his vain-glory, or prevented his enjoying the court which was paid to him by such eminent men as Pompey and Cæsar. His own importance, for the most part, intercepted every other object from his view, and made him the dupe of every person who professed to admire him, and incapable of any serious regard for any one who did not pay him, on every occasion, the expected tribute of praise ; a description under which Cato, though his most sincere well-wisher and friend, appears at this time to have fallen.

Cæsar, to the other arts which he employed to secure his election, added the use of money, which he obtained by joining his interest, in opposition to Bibulus, with that of Lucceius, another of the candidates possessed of great wealth. He himself having squandered his fortune, as has been observed, was still greatly in debt, and Lucceius willingly furnished the money that was given to the people in the

* Alluding to the opposition which Cato gave to the farmers of the revenue, in their petition for an abatement of their rent. But Cato followed his judgment in this matter ; and there is no reason to prefer the judgment of Cicero to his.

† Cicero ad Atticum, lib. ii, epist. 1.

name of both. This illegal proceeding, together with the menacing concorts of which he began to be suspected with Pompey and Crassus, greatly alarmed the friends of the republic. They determined to support Bibulus against Lucceius ; and in order to give Cæsar a colleague who might occasionally oppose his dangerous intentions, they even went so far as to contribute sums of money, and to bid for votes as high as their opponents. In this crisis, it is said, that even Cato owned it was meritorious to bribe *.

During the dependence of this contest, the Senate, by the death of Lutatius Catulus, was deprived of an able member, and the people of a fellow-citizen of great integrity, moderation, fortitude, and ability ; a model of what the Romans in this age should have been, in order to have preserved the state. He partook with Cato in the aversion which Cæsar bore to the most respectable members and best supports of the Senate, and would probably have taken part with him likewise in the continual efforts he made to maintain its authority. The aristocratical party, notwithstanding this loss, prevailed in carrying the election of Bibulus against Lucceius ; and though they could not exclude Cæsar from the office of Consul, they hoped, by means of his colleague, to oppose and to frustrate his designs †.

Cæsar, well aware of their purpose, opened his administration with a speech in praise of unanimity,

* Sueton. in *Caio Cæsare*, c. xix. Appian. de Bell. Civil. lib. ii.

† Plutarch. Appian. Dio. Sueton. &c.

and recommended good agreement between those who were joined in any public trust. While he meant to vilify the Senate, and to foster every disorderly party against them, he guarded his own behaviour, at least in the first period of his Consulship, with every appearance of moderation and candour, paid his court not only to leaders of faction, but to persons of every condition ; and while he took care to espouse the popular side in every question, was active likewise in devising regulations for the better government of the empire ; so that the Senate, however inclined to counteract his designs, as calculated to raise himself on the ruins of the commonwealth, could scarcely, with a good grace, oppose him in any particular measure. He set out with a project for the relief of such indigent citizens as had numerous families, including the veterans and disbanded soldiers of Pompey : these he proposed to settle on some of the public lands in Italy. He gave out that he expected the concurrence of Cicero in this measure, sent him a message by Balbus *, with assurances *that he meant to consult with Pompey and himself in all matters of importance, and that he had hopes of bringing Crassus also into the same mind* ; words, from which it is manifest that the coalition of these persons was not yet publicly known. “ What “ a fine prospect I have before me,” says Cicero to Atticus, “ a perfect union with Pompey, even with “ Cæsar if I please ; peace with my enemies, and

* Dio. Cass. lib. viii, initio. Plutarch. in Cæsare ; in Pompeio, Lucullo, Catone, &c. &c. Sueton. in Cæsare. Appian. de Bell. Civil. lib. ii.

"tranquillity in my old age." But his heart soon after misgave him ; the honours of his former life recurred to his mind. With his eminent talents, he was destined to transmit a more honest fame to posterity, and to become the lamented victim of his country's betrayers, not the detested associate of their crimes *.

This Consulate is distinguished by the passing of many laws, particularly this, which was devised for the settlement of citizens on certain parts of the public domain ; and therefore known by the title of an Agrarian Law. On this act Cæsar was to rest his popularity, and his triumph over the Senate. He gave out that he was to make a provision for twenty thousand citizens, without any burden to the revenue. But he well knew that his antagonists would perceive the tendency of the measure, or not suffer it to pass without opposition ; and he affected great moderation in the general purpose, and in framing every part of his plan ; affecting solicitude to obtain the consent of the Senate ; but, in reality, to make their opposition appear the more unreasonable and the more odious to the people. He declared, that he did not mean to strip the revenue of any branch that was known to carry profit to the public, nor to make any partial distribution in favour of his friends ; that he only meant to plant with inhabitants certain unprofitable wastes, and to provide for a number of citizens, who, being indigent and uneasy in their circumstances, filled the city itself with frequent dis-

* Cicero ad Atticum, lib. ii, ep. 3.

orders and tumults ; and that he would not proceed a step without consulting the Senate, and every person of credit and authority in the state.

In a way to save these appearances, and with these professions, Cæsar formed the first draught of an act which he brought to the Senate for their approbation, and in hopes to obtain their support in proposing it to the people. It was difficult to find topics on which to oppose a measure so plausible, and conducted with so much appearance of moderation and candour. But the tendency of the act itself was evidently not to promote the peace of the commonwealth, but to constitute a merit in the person who procured it, and to confer high measures of power on those who were to be intrusted with its execution.

In great and populous cities, indigent citizens are ever likely to be numerous, and would be more so, if the idle and profligate were taught to hope for bounties and gratuitous provisions, to quiet their clamours and to suppress their disorders. If men were to have estates in the country because they are factious and turbulent in the city, it is evident that public lands, and all the resources of the most prosperous state, would not be sufficient to supply their wants. Commissioners appointed for the distribution of such public favours would be raised above the ordinary magistrates, and above the laws of their country. They might reward their own creatures, and keep the citizens in general in a state of dependence on their will. The authors of such proposals, while they were urging the state and the people to ruin, would be considered as their only patrons and friends.

“ It is not this law I dread,” said Cato ; “ it is the “ reward expected for obtaining it.”

Odious as the task of opposition on such difficult ground might appear to the people, this Senator did not decline it. Being asked his opinion in his turn, he answered, that he saw no occasion for the change that was now proposed in the state of the public domains ; and entered on an argument with which he meant so to exhaust the whole time of the sitting, as to prevent the Senate from coming to a question. He was entitled, by his privilege as a member in that assembly, to speak without interruption, and might, if he chose to continue speaking, persist until all the members had left the house. Cæsar suspecting his design, and finding it impossible otherwise to silence him, ordered him into custody. The whole Senate instantly rose in a tumult. “ Whither go you before “ the meeting is adjourned ?” said Cæsar to Petreius, who was moving from his side. “ I go,” said the other, “ into confinement with Cato. With him a “ prison is preferable to a place in the Senate with “ you.” The greater part of the members were actually moving away with Cato, and Cæsar felt himself at once stripped of the disguise of moderation he had assumed, and dreaded the spirit which he saw rising in so numerous a body of men, who, on former occasions, had maintained their authority with a vigour too fatal to those who opposed it. He had relied on their want of decision, and on their ignorance of their own strength. But his rashness broke the charm. He wished that the prisoner would procure some friend among the Tribunes to interpose ;

but Cato, seeing him embarrassed, and the Senate engaged in the cause, went off in the custody of the lictor without any signs of reluctance. Cæsar immediately recollecting himself, and never hurried too far by any passion, dispatched a Tribune of his own party with secret directions to rescue the prisoner; and this being done, the Senators again returned to their places. “I meant,” said Cæsar, “to have submitted this law to your judgment and “correction; but if you throw it aside, the people “shall take it up *.”

Cæsar, upon this occasion, increased his own popularity, and diminished that of his enemies in the Senate, who were supposed in this, as in some other instances, to withstand with keenness every measure that was devised for the comfort of the people. The imputations cast out against him by Cato and others, were supposed to proceed from malice or cynical prejudices. He found himself strong enough to extend his bounty to the people, so as to comprehend the lands of Campania, which were hitherto considered as unalienable, and the richest demesne of the public, together with a valuable district near the confluence of the Vulturnus and the Sabbatus, formerly consecrated to pious uses. In these valuable tracts of land there was sufficient subject for an ample provision for the soldiers of Pompey, and for the retainers of those who, together with Crassus and Cæsar himself, were proposed to be commissioners for carrying this law into execution.

* Dio. lib. xxxviii, c. 1, 2, 3. Plutarch. Sueton. Appian. &c.

At the first assembly of the people, Cæsar proposed his scheme to appropriate the lands of Campania, with the above additions ; and first of all called on his colleague Bibulus to declare his mind on the subject. Bibulus spoke his dissent ; and in vehement terms declared, that no such alienation of the public demesne should be made in his Consulate. Cæsar next called upon Pompey, though in a private station ; and the audience, ignorant of the concert into which these leaders had entered, were impatient to hear this oracle on the subject of a measure which was likely to elevate a supposed rival so high in the favour of the people. To the surprise of all who were present, Pompey applauded the general design, and, in a speech of considerable length, discussed all the clauses of the act, and with great approbation of each. When he had done speaking, Cæsar, alluding to what had dropped from his colleague, and affecting to fear the interposition of force : “ Will you support us,” he said to Pompey, “ in case we are attacked ? ”—“ If any one,” said the other, “ shall lift up a sword against you, I shall lift up both sword and shield *.” Crassus being called upon, also spoke to the same effect. The concurrence of all these leaders portended the unanimous consent of all parties ; and a day being fixed for finally deciding the question, the assembly adjourned.

To oppose a measure so popular, and from which such numbers had great expectations, no means re-

* Cicero ad Att. lib. ii. Plutarch. in Pompeio. Dio. Cass. lib. xxxviii, c. 5.

mained so likely to succeed as superstition. To this aid Bibulus accordingly had recourse, and, by virtue of the authority with which he was vested, proclaimed a general fast, and a suspension for the present year of all the affairs of state. The design of this suspension, and the extravagant length of time to which it was extended, probably enabled his colleague to treat it with contempt, and to proceed in the design of putting his question, as if no such proclamation had been issued. The assembly was accordingly summoned in the temple of Concord. Cæsar, early in the morning, secured all the avenues and the steps of the portico, where he had Vatinus, one of the Tribunes of the people, who was entirely devoted to his interest, and even in his pay *, stationed with a party, and prepared to take the odium of all violent measures on himself. Bibulus, however, attended by numbers of the Senate, and three of the Tribunes, who were engaged by their negative to put a stop to every proceeding, came into the place of assembly, with all the forms of office, and protested against the legality of any meeting to be held in a time of general fast; but the opposite party being in possession of the temple, forced him from the steps, broke the ensigns of the lictors, wounded the Tribunes who interposed in his defence, and effectually removed all farther obstruction to their own designs. The question then being

* Cicero in Vatinium. Cæsar was reported to have said at Aquileia, some time after this date, when Vatinus was disappointed of the Edileship, that he had no business with honours, being intent on money only; and that he was paid for all his services in the Tribuneate.

put, the law passed without opposition, including a clause to oblige every Senator, under pain of exile or death, to swear to the observance of it.

This oath was probably a snare laid by Cæsar for the most resolute of his opponents, like that which had been formerly laid by Marius, on a like occasion, for Metellus Numidicus, and by means of which that virtuous citizen was actually for some time removed from the commonwealth *.

Metellus Celer, the late Consul, together with Cato and Favonius, not aware of the snare which was laid for them, at first declared their resolution not to swear to the observance of any such ruinous law ; but, on farther deliberation, they became sensible that in this they were serving the cause of their enemies. “ You may have no need of Rome,” said Cicero, now awake from his dream, to Cato, “ and “ may go into exile with pleasure ; but Rome has “ need of you. Give not such a victory to her ene- “ mies and your own.” Upon this view of the matter, it was determined to comply †.

Bibulus, on the day following that of his violent expulsion from the assembly of the people, convened the Senate, represented the outrage he had received, and submitted the state of the republic to their consideration. But even this assembly, though consisting of above six hundred of the most powerful citizens of Rome, not destitute even of personal courage, were declined in their spirit, and become

* See vol. ii, c. 13.

† Plutarch, in Catone. Appian, de Bell. Civil. lib. ii,

averse to exertions of vigour. Being occupied with their villas, their equipages, and the other appurtenances of wealth and of high rank ; "They appear," said Cicero upon this occasion, "to think, that even "if the republic should perish, they will be able to "preserve their fish-ponds."

The Consul Bibulus, even Cato, though far removed from any ambiguity of conduct, saw no possibility of withstanding the torrent. The first retired to his own house, and from thenceforward, during the remainder of his term in office, did not personally appear in his public character, and even Cato absented himself from the Senate *.

While Cæsar engrossed the full exercise of the consular power, Bibulus was content with issuing his edicts or manifestoes in writing, containing protests, by which he endeavoured to stop all proceedings in public affairs on account of the religious fast, or continuation of holidays, which, according to the forms of the commonwealth, he had instituted to restrain his colleague. In these writings, he published violent invectives against Cæsar, in which, among other articles, he charged him with having had a part in the conspiracy of Catone †. The Tribune Vatinius, in return, issued a warrant to commit the Consul Bibulus to prison ; and, in order to seize his person, attempted to break into his house ; but in this he was foiled ; and the parties continued, during the remainder of this Con-

* Cicero pro Sexto. Plutarch. in Catone.

† Sueton. in C. Cesare.

sulate, in the same situation with respect to each other.

In dating the year, instead of the Consulate of Cæsar and Bibulus, it was called by some wag the Consulate of Julius and Cæsar *. This able adventurer, though suspected of the deepest designs, went still deeper in laying his measures for the execution of them than his keenest opponents supposed. He found means to tie up every hand that was likely to be lifted up against himself; as those of Pompey and Crassus, by their secret agreement, of which the articles were gradually disclosed in the effect. He confirmed to Pompey all the acts of his administration in Asia, and, by putting him on the commission for dividing the lands of Campania, and for settling a colony at Capua, gave him an opportunity, which the other earnestly desired, of providing for many necessitous citizens of his party. He flattered Crassus sufficiently, by placing him on the same commission, and by admitting him to a supposed equal participation of that political consequence which the Triumvirs proposed to secure by their union. He gained the Equestrian order, by granting a suit which they had long in dependence, for a diminution of the rents payable by the revenue farmers in Asia†. These he reduced a third; and by this act, acquired with that order of men the character of great liberality and candour. He himself was the only person, who, in appearance, was not to profit

* Sueton. in C. Cæsare, c. 20. Dio. Cass. lib. xxxvii, c. 6; 8.

† Cicero ad Att. lib. ii, ep. 1. Appian. de Bell. Civil. lib. ii, p. 435.

by these arrangements. He was occupied, as his retainers gave out, in serving the republic, and in promoting his friends; was the general patron of the distressed and the indigent, and had nothing to propose for himself.

With his consent, and under his authority, Fusius, one of the Prætors, and Vatinus, one of the Tribunes, obtained two laws, both of them equitable and salutary: the first, relating to the use of the ballot in the Comitia, or Assembly of the People: the other, relating to the challenge of parties in the nomination of judges or juries. The introduction of the ballot in political questions had greatly weakened the influence of the aristocracy over the determinations of the people; and resolutions were frequently carried in this manner, which no party, nor any particular order of men, were willing to acknowledge as their measure. The Nobles imputed absurd determinations to the majority which was formed by the people, and these in their turn retorted the imputation. To leave no doubt in such matters for the future, Fusius proposed, that the separate orders of Patrician, Equestrian, and Plebeian, should ballot apart *. This regulation had some tendency to restore the influence of the superior classes.

Vatinus proposed, that in criminal actions, when the judges were drawn by lot, the defendant and prosecutors might, in their turns, challenge, or strike

* Dio. lib. xxxviii, c. 8.

off from the list, persons to whom they took a particular exception *.

Cæsar himself was busy in devising new regulations to reform the mode of elections, and to improve the forms of business in some of the public departments. By one of his acts, the priests were to be elected agreeably to the former laws of Atius and Domitius, with this difference, that candidates might be admitted even in absence. By another of his acts, regular journals were to be kept in the Senate and in the assemblies of the people, and all their proceedings recorded for the inspection of the public. By a third, persons convicted of treason were subjected to new penalties, and governors of provinces to additional restraints in the exercise of their power. Such officers were not allowed to receive any honorary gift from their provinces, until their services being considered at Rome, were found to have entitled them to a triumph †. They were restrained from encroaching on the right of any state or principality beyond the limits of their province. They were obliged to leave copies of their books and of their acts at two of the principal towns in their government ‡, and, immediately upon their arrival at Rome, to give in a copy of the same accounts to the treasury. They were doomed to make restitution of all subjects received in extortion, not only by themselves, but by any of their attendants ||.

* Dio. lib. xxxviii, c. 8. Appian.

† Cicero ad Att. lib. v, ep. 16, et lib. vi, ep. 7.

‡ Cicero ad Famil. lib. ii, ep. 17. et lib. v, ep. 20.

|| Cicero in Vatinium pro Sext.

With these acts Cæsar adorned his Consulate, and in some measure discountenanced the party which was disposed to traduce him. He is, nevertheless, accused of having stolen from the treasury, to which he had access in the capacity of Consul, bars of gold weighing three thousand pondo, and of having concealed the theft by substituting brass gilt, and of the same form, in its stead *.

Whatever foundation there may have been for this report, it soon appeared that Cæsar had objects of a more serious nature, could copy, on occasion, the example of Pompey, and, in his manner, cause what was personal to himself to be proposed by others, whom he might be free to support or disavow, according to the reception which his proposal should meet from the public. It cannot be doubted that he now conceived the design of having a military force, if necessary, to support his pretensions in the city. Hitherto kingly power being odious at Rome, whoever had aspired to it had always perished in the attempt, and the mere imputation, however supported, was fatal. The most profligate party among the populace were unable or unwilling to support their demagogues to this extent ; and the people in general became jealous of their most respectable citizens, when it appeared that merit itself approached to monarchical elevation. Marius, by the continued possession of the highest offices, and by the supreme

* Sueton. in Jul. c. 54. Cæsar is said to have sold the gold bullion he brought from Spain at 3000 H. S. or about L.25 of our money the ponde. This will make his supposed theft about L.75,000.

command of armies, had acquired a species of sovereignty which he knew not how to resign. Cinna came into partnership with Marius, and wished to govern after his decease. Sylla, to avenge his own wrongs and those of his friends, to cut off a profligate faction, and restore the republic, took possession of the government. He led his army against usurpers, and had the power to become himself the most successful usurper, as he was put in possession of a sovereignty which he no doubt might have retained. So far in him, therefore, every ambitious adventurer found a model, and was instructed in the means which could insure to a single person the sovereignty of Rome. Cataline, with his accomplices Lentulus and Cethegus, by means of a profligate party among the populace or citizens of desperate fortune, had vainly attempted to overturn the state, or usurp its government *. Cæsar was become head of the same party ; but an army like that of Sylla, a convenient station, and the resources of a great province, were necessary to support the contest, and to carry it against his rivals, as well as against the republic itself, to any favourable issue.

The republic had taken many precautions to prevent the introduction of military power at Rome. Although the functions of state and of war were intrusted to the same persons, yet the civil and military characters, except in the case of a Dictator,

* Speaking of the imaginary danger to a state of being overturned by the rabble ; we might as much fear, said a witty writer of the present age, that a city would be drowned by the overflowing of its own kennels.

were never united at once in the same person. The officer of state resigned his civil power before he became a soldier, and the soldier was obliged to lay aside his military ensigns and character before he could enter the city ; and if he sued for a triumph in his military form, must remain without the walls till that suit was discussed. The command of armies and of provinces in the person of any officer was limited to a single year at a time, at the end of which, if the commission were not expressly prolonged, it was understood to expire, and to devolve on a successor named by the Senate.

That no leader of party might have an army at hand to overawe the republic, no military station was supposed to exist within the limits of Italy. The purpose, however, of this precaution was in some measure frustrated by the situation of a province in which an army was kept within the Alps. Italy was understood to extend only from the sea of Tarentum to the Arnus and the Rubicon : beyond these boundaries, on the north-west, all those extensive and rich tracts on both sides of the Appenines, and within the Alps, which now make the duchies of Ferrara, Bologna, Modena, Milan, the States of Piedmont and Venice, with the duchy of Carniola, and the whole of Lombardy, and part of Tuscany, were considered, not as Italy, but as a province termed the Cisalpine Gaul, and, like the other Roman provinces, was to be held by a military officer, supported by an army.

This then was the most commodious station at which a political adventurer might unite the great-

est advantages, that of having an army at his command, and that of being so near the city of Rome, as not only to influence the public councils, but to be able also, by surprise, to occupy the seats of government whenever his designs were ripe for such an attempt.

Sylla had an army devoted to his pleasure ; but, having the seas of Asia and Ionia to pass in his way to Italy, could not, without giving an alarm from a great distance, and without putting his enemies on their guard, approach to the capital. He, therefore, when he had this object in view, made no secret of his purpose.

Cæsar, from his native disposition, could not restrain his ambition short of the sovereignty, and without any signal incitement or singular circumstances, like those of Sylla, was prepared to obtain it. He arranged his measures like the plan of a campaign, which he had ability to digest, and the patience to execute with the greatest deliberation. He proposed to make himself master of an army at the gates of Rome, and to have the resources of a province contiguous to the capital. He proposed to secure the possession of these advantages, by an unprecedented prolongation of the usual appointments for five years ; so that after an appointment in these terms, the people themselves could not, without a breach of faith, recall their grant upon any sudden alarm of the improper use he might propose to make of their favours.

The Cisalpine Gaul, or that part of Italy which extended from the Rubicon to the Alps, was thus

peculiarly suited to the purpose of Cæsar. But the distribution of the provinces was still within the prerogative of the Senate ; and the provincial governments were filled by their nomination, in pursuance of an express regulation ascribed to Caius Gracchus, and known, from his name, by the title of the Sempronian Law *. Cæsar had ever been at variance with the greater part of the Senate. In the office of Prætor he had been suspended by their authority. In his present office of Consul he had set them at open defiance. He had no prospect of being able to obtain from them the choice he had made of a province ; and the proposal to put him in possession of the Cisalpine Gaul for a term of years, joined to the preceding parts of his conduct, would have given a general alarm, and opened at once the whole extent of his design.

It was necessary, therefore, in order to obtain this object, to set aside the authority of the Senate, and to procure his nomination by some degree of surprise. The Tribune Vatinius accordingly, upon a rumour that the Helvetii, or the nations inhabiting the tracts or valleys from Mount Jura to the Alps, were likely to cause some commotion on the frontier of Gaul, moved the people to set aside the law of Sempronius, and, by virtue of their own transcendent authority, to name Cæsar as Proconsul of the Cisalpine Gaul and Illyricum for five years, with an army of three legions. The senatorian party, as might have been expected, were greatly

* Lex Sempronia, vid. vol. ii, c. 10.

alarmed at this proposal. They vainly, however, hoped to evade it by substituting another appointment for Cæsar in place of this province. It was proposed to make him superintendent of the public forests throughout the empire ; a charge which, though not, in our acceptation of the word, a province, was, however, like every other public department in that empire, known by this name. This substitute for the government of the Cisalpine Gaul was thought to be the better chosen, that it neither implied nor required the command of an army, and was to withhold the engine of military power from a person so likely to abuse it. This weak attempt, however, against so able an adversary, only tended to expose the meaning of those by whom it was made, and by showing to the Senate their own weakness, hurried them into concessions which perhaps might have been otherwise avoided. In order that Cæsar might not owe every thing to the people and nothing to them, they extended his command at once to both sides of the Alps. On the one side of these mountains he had a station from which to overawe the city : on the other, he had a great extent of territory, and a theatre of war on which he might form an army, and inure them to service. The Senate, seeing he had already, by a vote of the people, obtained the first with an army of three legions for five years, and imagining that it was no longer of any use to oppose him, or hoping to occupy his attention, or to wear out the five years of his command in wars that might arise beyond the Alps, they joined to his province on the Po that of the Transalpine

Gaul also, with an additional legion. In this manner, whether from these or any similar motives, it is affirmed by some of the historians *, that the Senate even outran the people in concessions to Cæsar; and to this occasion is referred the memorable saying of Cato: “Now you have taken to yourselves “a king, and have placed him with his guards in “your citadel †.”

Cæsar, at the same time, on the motion of the Tribune Vatinius, was empowered to settle a Roman colony on the Lake Larius, at Novum Comum, with full authority to confer the privilege of Roman citizens on those he should settle in this place. Having obtained the great object of his Consulate, in his appointment for a term of years to the command of an army within the Alps, he no longer kept any measures with the Senate, nor allowed them any merit in the advantages he had gained. He was aware of their malice, he said, and had prevailed in every suit, not by their concession, but in direct opposition to their will. Though capable of great command of temper, and of the deepest dissimulation when in pursuit of his object, he appears, on this and other occasions, to have had a vanity which he idly indulged in braving the world when his end was obtained ‡. As he insulted the Senate when no longer depending on their consent for any of his objects, so he no longer disguised his connection with

* Sueton. in Jul. Cæsare, c. 22.

† Plutarch. in Catone. Dio. Cass. lib. xxxviii. Appian. de Bell. Civil. lib. ii.

‡ Sueton. in Cæsare, lib. ii, c. 22.

Pompey and Crassus, or the means by which, in his late measures, the concurrence of these rivals had been obtained.

As such combinations and cabals generally have an invidious aspect to those who are excluded from them, the Triumvirate, for so it began to be called in detestation and irony *, notwithstanding the popularity or influence enjoyed by those who had formed it, became an object of aversion and general abuse †. They were received at all public places with groans and expressions of hatred. An actor, performing on the public theatre, applied to Pompey the Great, a sentence of reproach, which occurred in the part he was acting. The application was received with peals of applause, and called for again and again ‡.

The edicts that were published by Bibulus in opposition to Cæsar were extolled, and received with avidity. The places of the streets at which they were posted up were so crowded with multitudes assembled to read them, that the ways were obstructed. Cæsar and Pompey endeavoured to lessen the effect of these edicts in speeches to the people, but were ill heard. Pompey lost his temper and his

* The titles of Duumvirs, Triumvirs, and so on, were the designations of legal commissioners at Rome acting under public authority; such title was given to the private coalition of these adventurers in mere irony.

† Cicer. ad Att. lib. ii, ep. 16.

‡ “ To our misfortune thou art great.” He was called upon to repeat these words again and again innumerable times. “ The time will come when thou ‘ shalt rue this state:’ likewise repeated with peals of applause, &c. Cicero ad Att. lib. ii, epist. 19. Val. Max. lib. vi, c. 2.

spirit, and sunk in his consideration as much as Cæsar advanced in power. It became manifest, even to the people, that Cæsar was the only gainer by this coalition, that he had procured it for his own conveniency *; but Pompey himself probably felt that he was too far advanced to recede.

The Senate, and all the most respectable citizens of Rome, though unanimous in their detestation of the design that was formed by Cæsar, Pompey and Crassus, to dispose of the republic at their pleasure, yet either were, or believed themselves, unable to cope with the power of so many factions united. Cæsar, in order to hold by force what he gained by artifice, and by some degree of surprise, filled the streets with his retainers in arms, and showed, that, in case of any attempt to recall what had been so weakly given up to him, he was in condition to resist, and to lay the city in blood. If he were driven from Rome, he had provided within the Alps an army of two or three complete legions, with which he could maintain his province, or even recover his possession of the city. Every one censured, complained and lamented; but there was little concert, and less vigour, even among the members of the Senate.

Cato, with his declared disapprobation of the late measures, was reduced to the single expedient of assisting Bibulus in drawing up the edicts or manifestoes against the proceedings of Cæsar, which, as

* One of the sentences, so much applauded in its application to him at the theatre, was, "Eandem virtutem tempus veniet cum graviter gemes."

has been mentioned, were at this time received with so much avidity by the people.

Cicero now declined taking part in any affair of state; but being known for an advocate of the greatest ability, was courted in this capacity by many citizens, who had affairs in dependence before the courts of justice; but apprehending an attack which was likely to be made upon himself, on account of the transactions of his Consulate, he avoided, as much as possible, giving offence to any of the parties which divided the commonwealth. The storm was to be directed against him by Publius Clodius, under whose animosity to the government of the nobles, and to Cicero in particular, it was perceived for some time to be gathering *.

This bustling profligate having, in the former year, in order that he might be qualified for Tribune of the people, got himself adopted into a plebeian family, could not obtain the necessary ratification of the deed of adoption in the assembly of the Curiæ, until his cause was espoused by Cæsar, who seems to have taken his part in resentment of some insinuations thrown out against himself by Cicero, in pleading for M. Antonius, his late colleague in the Consulate. Antonius being, as has been mentioned, on account of his administration in Macedonia, accused of extortion, was defended by Cicero, who took that occasion to lament the state of the republic, brought under subjection as it was by a cabal which ruled by violence, and in contempt of the laws. Cæsar was

* Cicero ad Att. lib. ii, epist. 19, 20, 21, 22, 23.

greatly provoked at these expressions : “ This per-
“ son,” he said, “ takes the same liberty to vilify the
“ reputation of others, that he takes to extol his
“ own ;” and considering this speech as a warning
of the part which Cicero was likely to take in his
absence, he determined not to leave him at the head
of the senatorian party to operate against him. His
destruction might be effected merely by expediting
the formality of Clodius’s adoption into a plebeian
family, to qualify him for Tribune of the People * ;
and Cæsar, on the very day on which he received
this provocation from Cicero, permitted the act of
adoption to pass in the Assembly of the Curiæ.

Pompey likewise concurred in executing this deed
of adoption for Clodius, and assisted, in the quality
of Augur, to carry it through the religious forms.
Clodius, in the mean time, gave out, that he had no
design on the Tribunate, but was soliciting an em-
bassy to Tigranes king of Armenia. Cicero was so
much blinded by this pretence, that he was merry in
his letter to Atticus on the absurdity of Clodius, in
having himself degraded into a Plebeian, merely to
qualify him to appear at the court of Tigranes. He
was merry likewise with his not being put on the
commission of twenty for the execution of Cæsar’s
Agrarian Law. “ Strange ! ” he said, “ that he
“ who was once the only male creature in Cæsar’s
“ house, cannot now find one place among twenty
“ in the list of his friends †.”

* Dio. Cass. lib. xxxviii, c. 10, &c. Plutarch. in Cicerone. Cicero pro domo sua, de Provinciis Consularibus, &c.

† Cicero ad Att. lib. ii, epist. 7.

The more effectually to impose upon Cicero and his friends, Cæsar affected to believe, that the intention of Clodius was against himself, and taken up with the animosity of a person who had already attempted to dishonour his house * ; and he pretended to dispute the validity of his adoption, and, of consequence, his qualification to be elected a Tribune. Pompey joined also in the same vile artifice. “ Nay,” says Cicero, upon hearing of their pretended opposition to Clodius, “ this is vexation merely. “ Send but the proper officers to me, and I will make “ oath, that Pompey told me himself he had assisted “ as Augur in passing that decree †.”

With these transactions the year of Cæsar’s Consulate drew to a close. He ratified his treaty with Pompey, by giving him his daughter Julia in marriage. During the former part of the year, this lady had been promised to Servilius Cæpio, and had been of great use to her father, by securing the services of Cæpio against Bibulus. But now it was found more expedient to attach Pompey ; and Servilius, on his disappointment, was pacified by the promise of Pompey’s daughter. Cæsar himself married the daughter of Calpurnius Piso, who, together with Gabinius, the creature of Pompey, was destined to succeed in the Consulate, and who was, by this alliance, secured in the interest of Cæsar. “ Provinces, armies, and kingdoms,” said Cato on this occasion, “ are made the dowries of women †, and the empire “ itself an appendage of female prostitution.”

* In the intrigue with Cæsar’s wife. † Cic. ad Att. epist. 10. vol. xii.

‡ Plutarch, in Catone.

In this situation of affairs, and among parties who dealt in impositions and artifices, as well as in open and daring measures, some particulars are recorded, which, to gain our belief, require some acquaintance with the intrigues of popular faction. Vettius, a citizen of some note, who had been employed by Cicero in the time of his Consulship to gain intelligence of the Cataline conspiracy, now himself appeared as the author of a plot, of which the origin and the issue were matter of various conjecture. Knowing that Curio, a young man of high rank, and a declared enemy of Cæsar, was on bad terms likewise with Pompey, Vettius told him in confidence, that he himself had determined to assassinate Pompey, and proposed to Curio to join with him in that design. The young man communicated the matter to his father, and the father to Pompey, who laid it before the Senate. Vettius being examined in the Senate, at first denied any intercourse with Curio, but afterwards confessed that he had been drawn into a conspiracy in which this young man was concerned with Lucullus, Brutus, Bibulus, and some others, who had formed a design on Pompey's life.

It was suspected that Cæsar had employed Vettius to pretend this design against Pompey, and by opening himself to these persons to engage some of them in a concert with himself; and that it was intended, as soon as he had laid some foundation for an imputation of guilt against any of them, that he should, attended by a party of slaves, armed with daggers, put himself in the way of being taken;

that he should at first deny the plot, but afterwards suffer himself to be forced, by degrees, to confess, and to declare his accomplices ; but that this plan was disconcerted by the early intimation which Curio gave to his father, before all the circumstances projected to give it an air of probability were in readiness.

It was scarcely credible, however, that Cæsar should have committed his reputation to the hazard of detection in so infamous a project. He laid hold of it indeed with some avidity, and endeavoured to turn it against his opponents. After Vettius had been examined before the Senate, and was committed to prison for farther examination, Cæsar presented him to the people, and brought him into the rostra, to declare what he knew of this pretended most bloody design. The prisoner repeated his confession, but varied in the account of his accomplices, particularly in leaving Brutus out of the list ; a circumstance likewise, in the scandal of the times, imputed to the partiality of Cæsar, and considered as proof of his clandestine relation to this young man. Vettius was remanded to prison, and a process commenced against him on the statute of intended assassination. A trial must have probably disclosed the whole scene, and for this reason was said to have been prevented, by the sudden death of Vettius, who was supposed to have been strangled, by order of Cæsar, in prison *.

* Cicero ad Att. lib. ii, epist. 24. Sueton. in Cæsare, c. 20.

By the influence of Pompey and Cæsar, Gabinius
 U. C. 695. and Piso were elected Consuls ; and, by
 L. Calpu- their connivance, Clodius became Tribune
 nius Piso Cesonia- of the people. The ascendant they had
 nus, A. gained, however, was extremely disagree-
 Gabinius able to many of the other officers of state,
 Nepos. and even to some of the Tribunes. L. Domitius
 Ahenobarbus and C. Memmius Gemellus joined in
 a prosecution against Cæsar, late Consul, for pro-
 ceedings in office contrary to law and religion. Cæ-
 sar, for some time, affected to join issue with them
 on the question proposed, and to submit his cause
 to judgment ; but at last, apprehending delay and
 trouble, without any advantage from such an inquiry,
 he pleaded his privilege as a person destined for pub-
 lic service ; and accordingly, without staying to an-
 swer the charge which was laid against him, withdrew
 from the city, continued to make his levies, and to
 assemble an army in the suburbs of Rome. In this
 posture of affairs, one of the Quæstors, who had ser-
 ved under Cæsar in his Consulship, was convicted
 of some misdemeanour * ; and the opposite party, as
 if they had of a sudden broke the chains in which
 they were held, commenced suits against all the
 tools that had been employed by him in his late vio-
 lent measures. Gabinius had been charged with
 bribery by Caius Cato, then a young man. But the
 Prætor, whose lot it was to exercise the jurisdiction
 in such cases, being under the influence of Pompey,
 evaded the question. Caius Cato complained to the

* Sueton. in Nerone, c. ii, et in Cæsare, c. 23.

people, and, in stating the case, having said that Pompey usurped a dictatorial power, so far incensed part of his audience, that he narrowly escaped with his life *.

Vatinius, the late mercenary Tribune, was accused before the Praetor Memmius, who willingly received the accusation ; but all proceedings in the matter were suddenly stopped by the interposition of Clodius in his new situation ; and the attention of the people and of the Senate soon afterwards came to be more intensely occupied with the designs of this factious Tribune himself, than with any other business whatever.

The ruin of Cicero appears to have been the principal object which Clodius proposed to himself in soliciting the office which he now held ; and this, though affecting to be of the popular party, he pursued chiefly from motives of personal animosity and resentment. Cicero had given evidence against him on his late trial, and afterwards in the Senate made him the object of his wit and invective †. He is generally represented as effeminate and profligate, void of discretion or prudence. On the present occasion, however, he seems to have managed with considerable steadiness and address. He acted evidently in concert with Cæsar, Pompey, and Crassus ; but probably had not from them any particular direction in what manner he was to proceed.

Ever since the summary proceedings which were

* Cicero ad Quint. Frat. lib. i, epist. 2.

† Cicer. ad Atticum, lib. i.

employed against the accomplices of Cataline, the danger of this precedent was a favourite topic with the popular faction. Clodius professed that the whole object of his Tribuneate was to provide a guard against such dangers for the future. He began with paying his court to the different parties and different orders of men in the republic, by proposing such acts as were favourable to each ; and he stated his motion for better securing the people against arbitrary executions without any application to Cicero, as but one of many regulations intended by him for the benefit of the public, and which he joined with some acts of gratification to private persons. He gained the present Consuls by procuring them lucrative appointments, at the expiration of their year in office ; to Piso, Macedonia including Achaia ; to Gabinius, Syria with a considerable addition beyond the usual bounds of that province *. He gained the indigent part of the people by an act to remit all the debts which were due for corn at the public granaries ; and by ordering for the future, gratuitous distributions to be made from thence †. He at the same time procured another act extremely agreeable to many of the citizens, for restoring and increasing the number of incorporated societies, which had been abolished about nine years before, on account of the troubles to which they gave rise.

The operation of corporate bodies, in a city so much addicted to faction, and tumult, had been the

* Plutarch. in Cicerone.

† Pædianus in Pisoniana. Dio, lib. xxxviii. Cicer. pro Domo sua.

cause of frequent disorders. As persons, affecting to govern the state, endeavoured to gain the people by indulging their humour in idleness and dissipation, with games, theatrical entertainments, combats of gladiators, and the baiting of wild beasts ; so the head of every corporate body, though upon a smaller scale, had his feasts, his entertainments, and shows, forming to himself a party of retainers, on occasion, to be employed as his faction might require. The renewal, therefore, of such establishments, a measure which carried to every ambitious tradesman in his stall the feelings and consequence of a Crassus, a Pompey, or a Cæsar, affecting to govern the world in their respective ways, was greedily adopted by the lower people. And Clodius took occasion, in the first ardour of such corporate meetings, to foment and to direct their zeal to his own purpose *. He even gained a considerable party in the Senate, by affecting to circumscribe the discretionary power of the Censors in purging the rolls. Many of the members had reason to dread the censorial animadversions, and were pleased with an act which this Tribune obtained to provide, that, for the future, no one could be struck off the list of the Senate without a formal trial, and the concurrence of both the Censors †.

Joined to so many arts practised to reconcile different parties to the measures he affected to take for the security of the people, Clodius promulgated

* Dio. lib. xxxviii, c. 13. Cicero in Pisonem, c. 4, et Ascanius, ibid.

† Ibid. See a summary of these acts. Cicero pro Sextio, from c. 15, to c. 28.

his law of provision against arbitrary executions, and gave it a retrospect, which was undoubtedly meant to comprehend the summary proceedings which had been held against Cethegus and Lentulus, in the Consulate of Cicero. While the subject was under consideration, he thought of two circumstances which might operate against his design, and which he was therefore determined to prevent. One was, the practice of recurring to the celestial auspices, by which the proceedings of the people were sometimes suspended; and the other was, the opposition which he might expect from Marcus Cato, who was likely to consider the cause of the Senate and the republic as involved in that of the magistrate, who had preserved the state by executing their decrees. To secure himself against the first, he procured an edict to prohibit all persons from observing the heavens while the people were deliberating on any affair of state; and to obviate the second, he thought of a pretence for a temporary removal of Cato from Rome.

In the preceding Consulate, Cato, though armed as he was solely with the reputation of integrity, unable to prevent the progress of a ruinous faction affecting popular measures, yet, by his unremitting opposition, he had forced them, on occasion, to show, what Pompey in particular was extremely desirous to conceal, that they prevailed by corruption and force, not by what they pretended, the free choice of their fellow-citizens. Clodius, foreseeing, if Cato remained at Rome, a like opposition, and possibly a disappointment in his design against

Cicero, devised a commission to employ him in foreign service. Ptolemy, King of Cyprus, had put a personal affront on Clodius, by refusing to pay his ransom when taken by pirates on the coast of Asia near to that island. But now, in the wretched condition of nations, depending on the will of a single profligate citizen, he took an opportunity to be revenged on this prince, by procuring an act to forfeit his kingdom and his treasure ; and by making Cato the instrument of his revenge, he proposed to free himself at the same time from the interruption which this citizen was likely to give to his projects in the city *.

At an interview with Cato, Clodius had the impudence to pretend great admiration of his virtue ; told him, that the commission to reduce Cyprus into the form of a province was solicited by many ; but that he knew of none who, by his faithfulness and integrity, was so well qualified for the trust as Cato, and that he meant to propose him to the people. "That," said Cato, "I know is a mere artifice ; not an honour, but an indignity intended to me." "Nay," said Clodius, "if you do not go willingly, you shall go by force ;" and on that very day moved and obtained his nomination from the people. Lest the affair of Cyprus should not detain him a sufficient time, he was further charged in his commission to repair to Byzantium, to restore some exiles, and to quiet some troubles which had arisen in that place.

* Cicero pro Sextio.

Cæsar and Pompey likewise concurred in procuring this commission to Cato, in order to remove a powerful support from the Prætors Memmius and Domitius, whose proposal to repeal all the acts of Cæsar was yet in suspense.

The storm was now ready to burst upon the magistrate who had presided in the suppression of Cataline's faction, and no man had any doubt of its direction. Cato, before he left Rome, seeing Cæsar in possession of the gates with an army, and ready, in the event of any tumult, under pretence of repressing disorders, to enter the city by force, and to seize on the government, or apprehending, that the cause in question, however just, was altogether desperate, earnestly exhorted Cicero, rather to yield and to withdraw from the city, than to bring matters to extremities in the present state of the republic *.

Cicero, however, was for some time undecided. Having secured the support of L. Ninius Quadratus, one of the Tribunes, he proposed to obstruct the proceedings of his enemy, by opposing the negative of a colleague to all his motions. Afterwards, upon assurances from Clodius, that the purpose of the act was altogether general, and had no special relation to himself, he was prevailed on not to divide the college of Tribunes, nor to engage his friends in the invidious task of giving the negative to a law, which was intended merely to guard the people for the future against arbitrary proceedings †.

* Plutarch. in Catone.

† Dio. lib. xxxviii, c. 14.

was in many respects
similar to that of the
number of visitors to the
city of New Orleans, as
the "metropolis".
In particular, the
visitors were seen, the
most numerous by far,
on returning from the
South, where they had
and "lived in" Africa.
On his return to the
United States, he
had, however, no objection
to "live in Africa," as well, "and all the more
"sojourns, you." It is a fact, therefore, that I
met him, in 1859, a year before he returned
from South Africa, & was sufficiently impressed
by the rugged, as the soft, features of his person.
In the country, where his residence was the most prominent
in the African world, he resided in the country, under
protection of his slaves; and, being at his villa near
Alton, where I saw him, I noticed, and many of the
most remarkable persons repaired to him with the
most urgent entreaties in behalf of a person to whom
dignity and generosity he owed so many of his
luxuries, he readily referred them to the ordinary offi-
cials of state for protection, saying, That as a pri-

⁸ I'gash ynt raffith in Norwiche. † Ibid. pro Sextio, c. 17, et 18-

vate citizen he could not contend with a furious Tribune at the head of an armed people *.

In the meantime, the Consul Gabinius, though under the absolute direction of Pompey, promoted the attack against Cicero, and checked every attempt that was made in his favour. When the Equestrian order, together with numbers of the most respectable citizens from every quarter of Italy, crowded in mourning to Rome, and presented a memorial to the Senate in his behalf; and when the members of the Senate itself proposed to take mourning, and to intercede with the people, Gabinius suddenly left the chair, broke up the meeting, went directly from thence to the assembly of the people, where he threw out injurious insinuations against the Senate, and mentioned the meetings which had been held by the Equestrian order as bordering on sedition and riot; said, that the Knights ought to be cautious how they revived the memory of that part which they themselves had acted in the violent measures which were now coming under review, and which were so likely to meet with a just retribution from the people of Rome.

In this extremity Cicero attempted to see Pompey in person at his country house; but while the suppliant was entering at one door, this treacherous friend withdrew at another †. No longer doubting that he was betrayed by a person on whom he had so fully relied, he began to be agitated by a variety of counsels and projects. He was invited by Cæsar

* Cicero in Pisonem.

† Plutarch. in Cicerone.

to place himself in the station of lieutenant in his province of Gaul ; and, in that public character abroad, to take refuge from the storm that was gathering against him in Italy. But this, from a person who had so much contributed to raise the storm, was supposed to proceed from a design to insult or betray him ; or at best to reduce him to a state of dependence on himself. Being attended by a numerous body of citizens, chiefly of the Equestrian order, who had taken arms in his cause, he sometimes had thoughts of defending himself by force ; at other times, he sunk in despair, and, as appears from his letters, proposed to die by his own hands ; an intention from which he was diverted only by the entreaties and anxious care of his friends.

Such was the state of affairs, when Clodius assembled the people to pass the act he had framed against arbitrary executions. He had summoned them to meet in the suburbs, that Caesar, who on account of his military command was then excluded from the city, might be present. This artful politician being called upon, among the first, to deliver his opinion, with an appearance of moderation, and unwillingness to bear hard on any person to whom the law might apply, referred the people to his former declarations ; said, that every one knew his mind on the subject of arbitrary executions ; that he certainly approved the act which was now proposed, as far as it provided against such offences for the future ; but could not concur in giving it a retrospect to any transaction already passed.

While Cæsar thus, in delivering his own opinion, affected to go no farther than consistency and regard to his former conduct seemed to require, he permitted or directed his party to go every length with Clodius, and meant either to ruin Cicero, or force him to accept of protection on the terms that should be prescribed to him.

When the general law had passed, there was yet no mention of Cicero; and his enemies might have still found it a difficult matter to carry the application to him; but he himself, in the anguish of his mind, anticipated the consequence, went forth in mourning to the streets, and implored mercy of every citizen with an aspect of despondency, which probably did not encourage any party to espouse his cause. He was frequently met in this condition, and insulted by Clodius, who walked in the streets, attended by an armed rabble; and determined at last to abandon the city. Being escorted by a company of his friends, he passed through the gates in the middle of the night on the first of April, took the road of Lucania, and intended to have made his retreat into Sicily, where he flattered himself the memory of his administration in the quality of Quæstor, and the subsequent effects of his patronage at Rome, were likely to procure him a favourable reception *. But Clodius, immediately upon his departure, having carried a special attainder, by which, in the language of such acts, he was interdicted the use of fire and water; and by which every person

* Vid. Actionem in Verrem.

within five hundred miles of Italy was forbid, under severe penalties, to harbour him ; Virgilius, the Praetor of Sicily, though his friend, declined to receive him. He turned from thence to Brundisium, passed into Macedonia, and would have fixed his residence at Athens ; but apprehending that this place was within the distance prescribed to him by the act of banishment, he went to Thessalonica in his way to Cyzicum. Here he had letters, that gave him intimation of some change in his favour, entertained some prospect of being speedily recalled, and accordingly determined to wait the issue of these hopes.

We have better means of knowing the frailties of Cicero, than perhaps is safe for the reputation of any one labouring under the ordinary defects of human nature. He was open and undisguised to his friends, and has left an extensive correspondence behind him. Expressions of vanity in some passages of his life, and of pusillanimity in others, escape him with uncommon facility. Being at least of a querulous and impatient temper, he gave it full scope in his exile, perhaps not more from weakness, than from a design to excite his friends in redoubling their efforts to have him restored. He knew the value of fortitude as a topic of praise, and might have aspired to it ; but would it not, he may have questioned, in the present instance, encourage his party to sleep over his wrongs ? In any other view, his complaints resemble more the wailings of an infant, or the strains of a tragedy composed to draw tears, than the language of a man supporting the cause of integrity in

the midst of unmerited trouble. "I wish I may
" see the day," he writes to Atticus, "in which I
" shall be disposed to thank you for having prevail-
" ed upon me not to lay violent hands on myself;
" for it is certainly now matter of bitter regret to
" me that I yielded to you in that matter *."

In answer to the same friend, who had chid him
for want of fortitude, "What species of evil," he
says, "do I not endure? Did ever any person fall
" from so high a state? in so good a cause? with
" such abilities and knowledge? with so much pub-
" lic esteem? with the support of such a respectable
" order of citizens? Can I remember what I was,
" and not feel what I am? Stripped of so many
" honours, cut off in the career of so much glory,
" deprived of such a fortune, torn from the arms of
" such children, debarred the view of such a bro-
" ther, dearer to me than I was to myself, yet now
" debarred from my presence, that I may spare him
" what he must suffer from such a sight, and myself
" what I must feel in being the cause of so much
" misery to him. I could say more of a load of evils
" which is too heavy for me to bear; but I am
" stopped by my tears †."

From the whole of this correspondence of Cicero
in his exile, we may collect to what degree the un-
just reproaches which he had suffered, the desertion
of those on whom he relied for support, the dangers
to which he left his family exposed, affected his

* Cicero ad Att. lib. iii, epist. 3.

† Ibid. lib. iii, epist. 10.

mind. The consciousness of his integrity, even his vanity forsook him ; and his fine genius, no longer displayed in the Forum or in the Senate, or busied in the literary studies which afterwards amused him* in a more calamitous time of the republic, now, by exaggerating the distress of his fortunes, preyed upon himself. It appeared from this, and many other scenes of his life, that although he loved virtuous actions, yet his virtue was accompanied with so insatiable a thirst of the praise to which it entitled him, that his mind was unable to sustain itself without this foreign assistance ; and when the praise to which he aspired for his Consulate was changed into obloquy and scorn, he seems to have lost the sense of good or of evil in his own conduct or character ; and at Thessalonica, where he fixed the scene of his exile, sunk or rose, even in his own esteem, as he seemed to be valued or neglected at Rome †.

* See the Book of Tusculan Questions.

† Vid. Cicero ad Att. lib. iii.



